

PB# 01-52

Mid-Hudson Holding Co.

35-1-103.221

01-52 + Lots Old Forge Hill Rd.

TOWN OF NEW WINDSOR
PLANNING BOARD
APPROVED COPY
DATE: 07-24-2002

Map Number 171-02 City [X] 01-52
Section 35 Block 1 Lot 103, 221 Town [X] Village New Windsor

Title: MID HUDSON II Holding Co Inc

Dated: 1-23-02 Filed 8-20-02

Approved by James Petro

on 7-24-02

Record Owner Autumn Sky Development Co. Inc.

DONNA L. BENSON
Orange County Clerk



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE
33 Airport Center Drive
Suite 202
New Windsor, New York 12553

(845) 567-3100
fax: (845) 567-3232
e-mail: mheny@mhepc.com

Writer's e-mail address:
mje@mhepc.com

19 November 2002

Town of New Windsor Town Board
555 Union Avenue
New Windsor, NY 12553

ATTENTION: GEORGE J. MEYERS, TOWN SUPERVISOR

SUBJECT: PERFORMANCE BOND FOR MID-HUDSON II HOLDING CO., INC.
(CURRENT PROJECT OWNER GLO DEVELOPMENT CORP.)
OLD FORGE HILL ROAD – NWPB APP. NO. 01-52

Dear Supervisor Meyers:

Reference my letter to you on behalf of the Planning Board dated 22 March 2002. In that letter, I recommended a Public Improvement Bond related to sewer improvements in an amount of \$22,460.00 for improvements in connection with the 4-lot subdivision.

The developer has completed the sewer main, and testing has been performed. All work is complete and has had acceptable testing at this time.

It is our recommendation that the Town Board authorize the release of the performance security at this time. If you have any questions concerning the above, please do not hesitate to contact me at your convenience.

Very truly yours,
McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS, P.C.

Mark J. Edsall, P.E.
Mark J. Edsall, P.E., P.P. *mje*
Principal

cc: Gerald A. Lennon, Applicant's Attorney (via fax)

NW01-52-Bond Letter 111902.doc

REGIONAL OFFICES

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3391 •

GERALD N. JACOBOWITZ
DAVID B. GUBITS
JOHN H. THOMAS JR.
GERALD A. LENNON
PETER R. ERIKSEN
HOWARD PROTTER
DONALD G. NICHOL
LARRY WOLINSKY
ROBERT E. DINARDO
J. BENJAMIN GAILEY
MARK A. KROHN*
JOHN C. CAPPELLO
* L.L.M. IN TAXATION

JACOBOWITZ AND GUBITS, LLP**COUNSELORS AT LAW**

158 ORANGE AVENUE
POST OFFICE BOX 367
WALDEN, NEW YORK 12586-0367

(845) 778-2121 (845) 778-5173 FAX
E-mail: info@jacobowitz.com

GEORGE W. LITHCO
MICHAEL L. CAREY
G. BRIAN MORGAN
TODD N. ROBINSON
JONATHAN KATZ
KIRK VAN TASSELL
SANFORD R. ALTMAN
PAULA ELAINE KAY
MARK T. STARKMAN

LINDA F. MADOFF*
JOHN S. HICKS*

* Of Counsel

October 30, 2002

Via Fax # 563-4695
Myra Mason, Secretary
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12553

Re: GLO Development Corp.
Bond for sewer improvements on Old Forge Hill Road
Our file # 3785-6

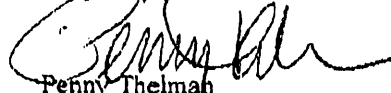
Dear Myra:

Our client has advised that the sewer improvements have been completed and found satisfactory by the engineer for the town who inspected them. Accordingly, we are seeking to have the bond for the sewer improvements released. The amount of the bond was \$22,460.00 as stated in the July 15, 2002 Irrevocable Standby Letter of Credit from Walden Federal Savings and Loan Association.

Please advise what additional steps, if any, we need to take in order to obtain release of this bond and an expected timeframe.

Thank you for your help and consideration in this matter.

Very truly yours,


Penny Thelman
Legal Assistant for
Gerald A. Lennon

cc: Glo Development Corp. Fax # 782-7156

W:\378516\LS0459.WPD

10/30/02

Have to Mark

11/19/02

Mark sending me memo.



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/15/2002

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 1-52

NAME: MID HUDSON HOLDING CO. SUB. (PA2000-1162)

APPLICANT: MID HUDSON II HOLDING CO.,

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
07/24/2002	PLANS STAMPED	APPROVED
09/26/2001	P.B. APPEARANCE	APPROVED COND
	. ND: WVE PH - NEED HIGHWAY APPROVAL - SUBMIT DESCRIPTION TO	
	. TOWN ATTORNEY FOR EASEMENT	
09/12/2001	P.B. APPEARANCE	TO RETURN
08/01/2001	WORK SESSION APPEARANCE	SUBMIT
06/06/2001	WORK SESSION APPEARANCE	DISCUSSED - RET

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/15/2002

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 1-52

NAME: MID HUDSON HOLDING CO. SUB. (PA2000-1162)

APPLICANT: MID HUDSON II HOLDING CO.,

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	08/21/2001	EAF SUBMITTED	08/20/2001	WITH APPLIC
ORIG	08/21/2001	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	08/21/2001	LEAD AGENCY DECLARED	09/12/2001	TOOK LA
ORIG	08/21/2001	DECLARATION (POS/NEG)	09/26/2001	DECL NEG DEC
ORIG	08/21/2001	SCHEDULE PUBLIC HEARING	/ /	
ORIG	08/21/2001	PUBLIC HEARING HELD	/ /	
ORIG	08/21/2001	WAIVE PUBLIC HEARING	09/26/2001	WAIVE PH
ORIG	08/21/2001	AGRICULTURAL NOTICES	/ /	
ORIG	08/21/2001	BUILDING DEPT REFER NUMBER	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/15/2002

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 1-52

NAME: MID HUDSON HOLDING CO. SUB. (PA2000-1162)

APPLICANT: MID HUDSON II HOLDING CO.,

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	08/21/2001	MUNICIPAL HIGHWAY . UNABLE TO MAKE ANY APPROVAL -	09/10/2001	SEE COMMENT NO DRAINAGE DIAGRAM
ORIG	08/21/2001	MUNICIPAL WATER	09/05/2001	APPROVED
ORIG	08/21/2001	MUNICIPAL SEWER	/ /	
ORIG	08/21/2001	MUNICIPAL FIRE	08/30/2001	APPROVED
ORIG	08/21/2001	NYS DOT	/ /	

Organized 1919



Walden Federal

IRREVOCABLE STANDBY LETTER OF CREDIT

To: Town of New Windsor
555 Union Avenue
New Windsor, New York 12554

July 15, 2002

Number 2002-03

Account of: Glo Development Corp.
7 Garfield Road
Monroe, New York 10950

Amount: \$22,460.00

Expires: July 14, 2003

Honorable Sir:

We hereby issue our Irrevocable Standby Letter of Credit Number 2002-03 in your favor for the account of Glo Development Corp. in an amount not to exceed U.S. \$22,460.00 (TWENTY TWO THOUSAND FOUR HUNDRED SIXTY and 00/100). This Letter of Credit may be drawn upon the presentation of:

Your notarized statement signed by the Town Supervisor, Deputy Town Supervisor or Town Clerk stating that "Glo Development Corp. is in default of its obligation to construct and install the sewer improvements, as approved by the Planning Board of the Town of New Windsor on Old Forge Hill Road, Subdivision Map for Mid Hudson II Holding Co., Inc. within one (1) year of their acceptance for dedication".

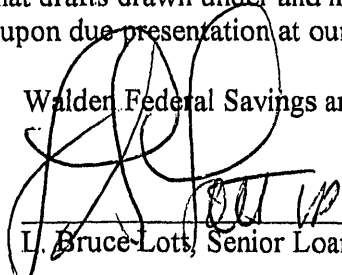
Drafts must be negotiated not later than the expiration date shown above, and must state "DRAWN UNDER WALDEN FEDERAL SAVINGS AND ASSOCIATION STANDBY LETTER OF CREDIT NUMBER 2002-03".

This Credit is subject to the Uniform Customs and Practice for Documentary Credits (1994 Revision), the International Chamber of Commerce Brochure No. 500.

We hereby agree with you that drafts drawn under and in compliance with the terms and conditions of this Credit shall be duly honored upon due presentation at our office.

Walden Federal Savings and Loan Association

By:


L. Bruce Lott, Senior Loan Officer, Vice President



12 Main Street • Walden, New York 12586 • 845 / 778-2171 • FAX 845 / 778-3125
201 Ward Street • Montgomery, New York 12549 • 845 / 457-5101 • FAX 845 / 457-5119
288 Larkin Drive • Monroe, New York 10950 • 845 / 782-2949 • FAX 845 / 782-2943
Email: bank@waldenfederal.com • Web address: www.waldenfederal.com

CERTIFICATE OF ALLOCATION

MOODNA CREEK DEVELOPMENT, LTD., a New York Corporation with principle place of business at Mill Street, Cornwall, New York 12518, (hereafter called MOODNA) hereby allocates, assigns and transfers to GLO DEVELOPMENT CORP., a New York corporation with principal place of business at 7 Garfield Road, Monroe, New York 12561, (hereafter called DEVELOPER), who hereby receives and accepts, the unconditional, continuous and irrevocable right to One Thousand Four Hundred (1,400) gallons of daily sanitary sewage treatment discharge capacity at the Town of New Windsor sewage treatment plant, allotted from the Majestic Sewer District total daily sewage treatment capacity (hereafter called TOTAL CAPACITY), for the exclusive use and benefit of up to four (4) single-family residential dwellings requiring new sewage services designated on the Town of New Windsor Tax Map as Section 35, Block 1, Lot 103.221 as set forth on a Subdivision map entitled "Subdivision for Mid-Hudson II Holding Co., Inc., Old Forge Hill Road, Town of New Windsor, New York.

MOODNA acknowledges and agrees to forebear from using daily sewage treatment discharge capacity that is part of the total capacity that is in excess of the total capacity as reduced by the One Thousand Four Hundred (1,400) gallons of daily sewage treatment capacity allocated to DEVELOPER by this certificate.

^{19th}
Dated: July, 2002

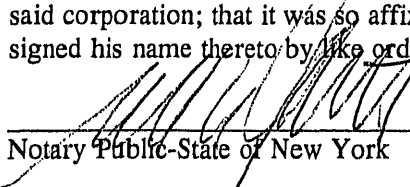
MOODNA CREEK DEVELOPMENT, LTD.

By:


ISAAC LANDAU, PRESIDENT

STATE OF NEW YORK)
 :SS.:
COUNTY OF ORANGE)

On this ^{19th} day of July, 2002, before me personally came ISAAC LANDAU, to me known, who being by me duly sworn, did depose and say that he resides at 45 Susan Drive, Newburgh, New York 12550; that he is the President of MOODNA CREEK DEVELOPMENT, LTD., the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that it was so affixed by order of the board of directors of said corporation and that he signed his name thereto by like order.


Notary Public-State of New York

Consent to this certificate has been granted at a meeting held _____ day of _____ 2002 by the Town Board, Town of New Windsor.

Dated: _____ 2002

TOWN OF NEW WINDSOR

By:


GEORGE J. MYERS, SUPERVISOR

1

AGREEMENT entered into this 16th day of July, 2002 between MOODNA CREEK DEVELOPMENT, LTD., a New York corporation with principal place of business at MILLPOND CONDOMINIUM, Mill Street, Cornwall, New York, mailing address c/o DAROE REALTY, 207 Lake Drive, Newburgh, New York 12550 hereafter called "MOODNA," and GLO DEVELOPMENT CORP., a New York corporation with principal place of business at 7 Garfield Road, Monroe, New York 12561, hereinafter called "DEVELOPER"

WITNESSETH:

WHEREAS, MOODNA is engaged in the business of providing industrial and sanitary sewer services and has the control of the operations and capacity of the Moodna Creek Development Ltd. sewage treatment plant and system of the Town of Cornwall Majestic Sewer District hereafter referred to as "DISTRICT;" and

WHEREAS the DEVELOPER is the contract vendee of parcels of property tax map designation Section 35, Block 1, Lot 103.221, in the Town of New Windsor it intends to develop as a residential development, consisting of four (4) single-family residential dwellings requiring new sewage services as set forth on a subdivision map entitled "Subdivision for Mid-Hudson II Holding Co., Inc., Old Forge Hill Road, Town of New Windsor, New York, on lands to be owned by DEVELOPER; and

WHEREAS there is sewage treatment capacity owned and under control of MOODNA that can be allocated to and used by the DEVELOPER to provide sanitary sewer service for its development; and

WHEREAS the parties desire to enter into an Agreement to provide for those various matters.

NOW THEREFORE it is mutually agreed as follows:

1. MOODNA makes the following representations as to the following legal and factual matters:

A. The Towns of New Windsor and Cornwall entered into an agreement on August 18, 1970 by which the New Windsor sewage treatment plant would accept 1.25 mgpd of sewage from Cornwall. This is referred to as the New Windsor-Cornwall AGREEMENT.

B. The Town of Cornwall established the Majestic Sewer DISTRICT which included the former Majestic Weaving Company property, (hereafter MAJESTIC PROPERTY).

C. The Town of Cornwall entered into an Agreement on August 18, 1970

with Bethesda Properties Inc. (hereafter BETHESDA), which was the then owner of the MAJESTIC PROPERTY by which the services to Cornwall under the New Windsor-Cornwall Agreement were designated for and exclusively allocated to BETHESDA, referred to as contract total capacity. This is referred to as the Cornwall-Bethesda Agreement.

D. The Majestic Property its rights and appurtenances including the sanitary sewer system and capacity were acquired by Moodna Creek Development Ltd. (hereafter "MOODNA") by deed from Bethesda Properties Inc. dated November 20, 1985 recorded November 20, 1985 in Liber 2443 of deeds, page 108.

E. The Towns of New Windsor and Cornwall entered into an AGREEMENT on October 19, 1983 which amended the New Windsor-Cornwall Agreement. That amendment is referred to as New Windsor-Cornwall Amendment.

F. The Town of New Windsor and BETHESDA entered into an Agreement on August 5, 1977 by which certain matters were provided for between them. This is referred to as the New Windsor-Bethesda Agreement, Exhibit 4.

G. MOODNA by virtue of the terms of the deed described in D and as the owner of Unit 3 in Millpond Condominium owns the exclusive right to operate the system and utilize, allocate and dispose of daily discharge capacity.

H. The Towns of New Windsor and Cornwall have by agreement between them dated June 16, 1993 amended the New Windsor-Cornwall Agreement as amended to reduce the allocated capacity from 1.25 gpm to .650 gpd for Cornwall, and releasing back to New Windsor .600 gpd., hereinafter referred to as "released capacity".

I. Moodna has entered into agreements with Cornwall on June 14, 1993 to modify the Cornwall-Bethesda Agreement, and New Windsor on August 13, 1993 to modify the New Windsor-Bethesda Agreement so as to effectuate a procedure for the reduction in capacity to .650 mgpd for Cornwall and release back to New Windsor .600 mgpd.

J. Agreements referred to above in paragraphs A, C, E, F, H and I are in good standing and are in full force and effect.

2. DEVELOPER makes the following representations as to the following legal and factual matters:

A. It is the contract vendee of real property (hereafter "PROJECT") located in the Town of New Windsor identified as tax map Section 35, Block 1, Lot 103.221.

B. The project is the premises known as "subdivision for Mid-Hudson II"

Holding Co., Inc., Old Forge Hill Road, Town of New Windsor, New York," and as Town of New Windsor Tax Map Section 35, Block 1, Lot 103.221.

3. MOODNA agrees to allocate and set aside for the exclusive, continuous and irrevocable use of DEVELOPER One Thousand Four Hundred (1,400) gallons of daily sewage service discharge capacity per day, hereafter "ALLOCATED CAPACITY." MOODNA will execute such documents as may be required to irrevocably commit from the released capacity the allocation hereby made to DEVELOPER and MOODNA shall forebear daily from utilizing the ALLOCATED CAPACITY.

4. MOODNA will transfer, set over and assign from time to time and after payment has been received by MOODNA the ALLOCATED CAPACITY to DEVELOPER by executing such documents as are reasonably required to transfer the rights to DEVELOPER to have the sanitary sewage generated from the DEVELOPER'S project received by and accepted into the New Windsor sewage treatment plant.

5. DEVELOPER shall, as may be reasonably determined by the municipal boards from which approvals may be necessary, pursue obtaining such additional municipal consents and approvals as may be necessary to effectuate and implement the purposes of this Agreement. MOODNA will extend reasonable cooperation to DEVELOPER upon receiving reasonable prior notice to execute necessary documents, attend meetings and hearings and provide relevant information.

6. Notwithstanding paragraph 5, if required, DEVELOPER will promptly and initially prepare, execute and deliver all necessary documents, and make application to the Town of New Windsor to establish any required legal entity, such as a sewer district or extension encompassing its project. Thereafter, it will diligently prosecute the same as necessary or if required by New Windsor.

7. In the event the municipal boards do not require documentation otherwise and grant its approval to the allocation of capacity (if that approval is necessary), the parties will from time to time after payments are made, execute such documents in proper form as are reasonably required to make the availability of sewer service an appurtenant right to the DEVELOPER'S project.

8. Solely DEVELOPER shall be responsible for such applications, engineering and legal services as are required to resolve matters relating to the design, approval, construction, installation and connection of the project sewer system to the Town of New Windsor sewer system facilities. Performance of this agreement by DEVELOPER is not subject to nor conditioned upon any of those matters, unless expressly so provided.

9. The consideration payable by DEVELOPER to MOODNA shall be based on the schedule annexed hereto and payable as set forth therein.

10. Except for the non-refundable portion, the consideration payable by DEVELOPER to MOODNA shall be held in escrow by the attorneys for MOODNA, JACOBOWITZ AND GUBITS, ESQS., 158 Orange Avenue, Walden, New York 12586 subject to the terms of this agreement. The payment will be deposited into an interest bearing account and the interest shall belong to MOODNA under all circumstances. The tax identification number for MOODNA shall be supplied to the bank in which the funds are deposited. The funds shall be deposited to an account at Walden Federal Savings and Loan Association, 12 Main Street, Walden, New York 12586.

11. Upon written consent being granted by the town board of the Town of New Windsor to the allocation of the "allocated capacity" provided for under this agreement, if such consent is required by the municipality, the condition precedent to performance by the DEVELOPER shall be deemed satisfied, and upon execution and delivery by MOODNA of the "allocation, assignment and transfer" certificate, a copy of which is annexed hereto, the escrow agent shall be free to release from escrow all the funds held on deposit to MOODNA without other or further notice, approval or consent.

12. In the event the consent is not obtained as provided in paragraph 11 above by September 30, 2002, then unless Developer waives this requirement either party to this agreement shall have the right to terminate the same, except as herein provided. Upon termination of this contract by either party in accordance with the provisions of this agreement, the refundable payment made by the DEVELOPER to MOODNA, held in escrow shall be refunded to the DEVELOPER upon written demand, but the interest thereon shall be paid to MOODNA under all circumstances.

13. Certificates of allocation shall be issued, signed and delivered upon receipt of payment for same from escrow as provided for herein.

A copy of the "allocation assignment" and transfer certificate to be used is annexed hereto.

Executed certificates will be delivered only against bank or certified funds, or not until funds are actually collected and credited if otherwise.

14. The escrow agent shall not be liable to any of the parties for any act or omission, except for bad faith or gross negligence, and the parties hereby agree to indemnify the escrow agent and hold the escrow agent harmless from any claims, damages, losses or expenses (including attorney's fees) arising in connection herewith. The parties acknowledge that the escrow agent is acting solely as a stakeholder for their convenience. In the event of a dispute between the parties, the escrow agent shall not be bound to release and deliver the escrow fund to either party but may continue to hold the escrow fund until escrow agent is otherwise directed in writing signed by all parties hereto or escrow agent may deposit the down payment with the Clerk of any Court of competent jurisdiction. Upon such deposit, the

escrow agent will be released from all duties and responsibilities hereunder. The escrow agent shall not be required to defend any legal proceedings which may be instituted against it in respect to the premises or the subject matter of this agreement unless requested to do so by purchaser or seller and indemnified to its satisfaction against the cost and expense of such defense (including attorney's fees). The escrow agent shall not be required to institute legal proceedings of any kind and shall have no responsibility for the genuineness of validity of any document or other item deposited with it or the collectability of any check delivered in connection with this agreement. The escrow agent shall be fully protected in acting in accordance with any written instructions given to it hereunder, and believed by it to have been signed by the proper parties. The parties agree that, notwithstanding the role of JACOBOWITZ AND GUBITS, ESQS., as escrow agent, it can, does, and may continue to represent seller as legal counsel in connection with the subject matter of this agreement and otherwise.

15. This agreement contains the entire agreement between the parties with respect to the transaction contemplated herein. It may be executed in any number of counterparts, each and all of which shall be deemed for all purposes to be one agreement.

16. All notices to be given hereunder shall be given in writing, via certified mail, return receipt requested, or delivered personally as follows:

A. If to MOODNA, addressed to JACOBOWITZ AND GUBITS, ESQS., 158 Orange Avenue, P. O. Box 367, Walden, New York 12586-0367; and

B. If to DEVELOPER, addressed to Mr. Maxmillian Glaber, Vice President, GLO Development Corp., 7 Garfield Road, Monroe, New York 12561.

17. No waiver, alteration, or modification of any of the provisions of this agreement shall be binding unless in writing and signed by a duly authorized representative of both parties to this agreement.

18. This agreement shall be governed by the laws of the State of New York.

19. This agreement shall inure to and be binding on the heirs, successors, executors, administrators and assignees of the parties.

20. Annexed hereto is a copy of the agreement required to be signed by the DEVELOPER with the Town of New Windsor.

21. Notwithstanding anything contained herein to the contrary, the developer reserves the right to reduce the sewer capacity purchased pursuant to this agreement in the event it does not need the full capacity for the properties and single-family residential dwellings set forth herein."

IN WITNESS WHEREOF the parties have executed this agreement.

MOODNA CREEK DEVELOPMENT, LTD.

By:


ISAAC LANDAU, PRESIDENT

GLO DEVELOPMENT CORP.

By:


MAXMILLIAN GLABER, VICE PRESIDENT

PAYMENT SCHEDULE
MOODNA CREEK DEVELOPMENT, LTD. WITH GLO DEVELOPMENT CORP.

7 M

The Purchase Price is \$4⁷/₂₅ per gallon for One Thousand Four Hundred (1,400) gallons per day, a total of Six Thousand Six Hundred Fifty (\$6,650.00) dollars of which \$6,650.00 was paid subject to the agreement escrow provisions.

Five hundred dollars (\$500.00) is non-refundable. The balance is refundable in accordance with paragraph 12, otherwise payable in accordance with paragraph 11.

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

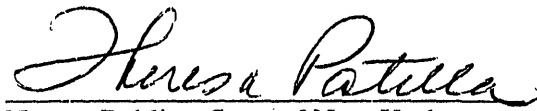
On this 19th day of July, 2002, before me personally came ISAAC LANDAU, to me known, who being by me duly sworn, did depose and say that he resides at 45 Susan Drive, Newburgh, New York 12550; that he is the President of MOODNA CREEK DEVELOPMENT, LTD., the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that it was so affixed by order the board of directors of said corporation and that he signed his name thereto by like order.



Notary Public - State of New York

STATE OF NEW YORK)
 : SS.:
COUNTY OF ORANGE)

On this 19 day of July, 2002, before me personally came MAXMILLIAN GLABER, to me known, who being by me duly sworn, did depose and say that he resides at 7 Garfield Road, Monroe, New York 12561; that he is the Vice President of GLO Development Corp., the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that it was so affixed by order the board of directors of said corporation and that he signed his name thereto by like order.



Notary Public - State of New York

THERESA PATELLA 4805208
Notary Public, State of New York
Qualified in Ulster County
Commission Expires January 31, 2003

CERTIFICATE OF ALLOCATION

MOODNA CREEK DEVELOPMENT, LTD., a New York Corporation with principle place of business at Mill Street, Cornwall, New York 12518, (hereafter called MOODNA) hereby allocates, assigns and transfers to GLO DEVELOPMENT CORP., a New York corporation with principal place of business at 7 Garfield Road, Monroe, New York 12561, (hereafter called DEVELOPER), who hereby receives and accepts, the unconditional, continuous and irrevocable right to One Thousand Four Hundred (1,400) gallons of daily sanitary sewage treatment discharge capacity at the Town of New Windsor sewage treatment plant, allotted from the Majestic Sewer District total daily sewage treatment capacity (hereafter called TOTAL CAPACITY), for the exclusive use and benefit of up to four (4) single-family residential dwellings requiring new sewage services designated on the Town of New Windsor Tax Map as Section 35, Block 1, Lot 103.221 as set forth on a Subdivision map entitled "Subdivision for Mid-Hudson II Holding Co., Inc., Old Forge Hill Road, Town of New Windsor, New York.

MOODNA acknowledges and agrees to forebear from using daily sewage treatment discharge capacity that is part of the total capacity that is in excess of the total capacity as reduced by the One Thousand Four Hundred (1,400) gallons of daily sewage treatment capacity allocated to DEVELOPER by this certificate.

Dated: July, 2002

MOODNA CREEK DEVELOPMENT, LTD.

By:

ISAAC LANDAU, PRESIDENT

STATE OF NEW YORK)
 :SS.:
COUNTY OF ORANGE)

On this _____ day of July, 2002, before me personally came ISAAC LANDAU, to me known, who being by me duly sworn, did depose and say that he resides at 45 Susan Drive, Newburgh, New York 12550; that he is the President of MOODNA CREEK DEVELOPMENT, LTD., the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that it was so affixed by order of the board of directors of said corporation and that he signed his name thereto by like order.

Notary Public-State of New York

Consent to this certificate has been granted at a meeting held _____ day of _____ 2002 by the Town Board, Town of New Windsor.

Dated: _____ 2002

TOWN OF NEW WINDSOR

By:

GEORGE J. MYERS, SUPERVISOR

THIS AGREEMENT date the 19 day of July, 2002, between the TOWN OF NEW WINDSOR, a municipal corporation with its principal place of business at 555 Union Avenue, New Windsor, New York 12553, hereinafter referred to as "TOWN", and GLO DEVELOPMENT CORP., a corporation with its principal place of business at 7 Garfield Road, Monroe, New York 12561, hereinafter referred to as "DEVELOPER".

WHEREAS, DEVELOPER has heretofore received or is in the process of receiving Planning Board approval for a development within the TOWN located on real property known as New Windsor Tax Map Section 35, Block 1, Lot 103.221 hereinafter referred to as "PROPERTY"; and

WHEREAS, DEVELOPER has heretofore negotiated a reallocation of sewer capacity from the Majestic Sewer District in the amount of 1,400 gpd to be used to provide sewer service to the property; and

WHEREAS, the Town Board of the Town of New Windsor has adopted a resolution on the 11th day of August, 1993 that authorized the reallocation of the aforesaid quantity of sewer capacity from the Majestic Sewer District to the property.

IT IS HEREBY AGREED AS FOLLOWS:

1. The sewer capacity that has been reallocated for Majestic Sewer District shall be used only for the benefit of the property except as hereinafter provided.
2. DEVELOPER, or any other party, may not assign, transfer or in any way encumber the sewer capacity that is being allocated to the property except, however, the DEVELOPER may assign the capacity to the TOWN at no cost to the TOWN.
3. DEVELOPER shall cause all sewer lines to be constructed on the property so as to prevent the inflow or infiltration of water in to the sanitary sewer system. DEVELOPER shall install wastewater inlets into the sewer system only from metered source of water unless, however, the flow of wastewater through the sewer line is metered at some point in the line that will accurately measure all wastewater being transferred through the sanitary system on the property. All sanitary sewer lines and appurtenances

shall be inspected by the engineers for the TOWN during construction and prior to commencement of use of the sanitary sewer system.

4. The sewer capacity that is being reallocated to the aforesaid real property may not be used to serve any other real property unless the allocation has been assigned to the TOWN.

5. DEVELOPER acknowledges that the reallocation is limited to the capacity set forth above and, in the event it is determined that further development on the property will create a sewer demand that is greater than the reallocation capacity set forth above, the TOWN is authorized to withhold any permits or approvals until satisfactory sewer capacity is obtained.

6. All lots within the property shall pay bonding and operation and maintenance charges that prevail in Sewer District #20.

THIS AGREEMENT shall be executed and acknowledged in recordable form and shall be recorded in the Orange County Clerk's Office at the expense of the DEVELOPER.

TOWN OF NEW WINDSOR

(Seal)

By: George J. Meyers, Supervisor

GLO DEVELOPMENT CORP.

(Seal)



By: Maxmillian Glaber, Vice President

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/18/2002

PAGE: 1

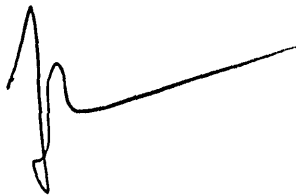
LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 1-52

NAME: MID HUDSON HOLDING CO. SUB. (PA2000-1162)

APPLICANT: MID HUDSON II HOLDING CO.,

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
08/20/2001	REC. CK. #491	PAID		600.00	
09/12/2001	P.B. ATTY. FEE	CHG	35.00		
09/12/2001	P.B. MINUTES	CHG	27.00		
09/26/2001	P.B. ATTY. FEE	CHG	35.00		
09/26/2001	P.B. MINUTES	CHG	22.50		
03/22/2002	P.B. ENGINEER FEE	CHG	532.40		
07/18/2002	REC. CK. #849	PAID		51.90	
		TOTAL:	651.90	651.90	0.00



PLANNING BOARD
TOWN OF NEW WINDSOR

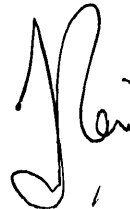
AS OF: 07/18/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 1-52
NAME: MID HUDSON HOLDING CO. SUB. (PA2000-1162)
APPLICANT: MID HUDSON II HOLDING CO.,

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/22/2002	4% OF\$22,460.00- INSPECT	CHG	898.40		
07/18/2002	REC. CK. #851	PAID		898.40	
		TOTAL:	898.40	898.40	0.00



PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/18/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
RECREATION

FOR PROJECT NUMBER: 1-52

NAME: MID HUDSON HOLDING CO. SUB. (PA2000-1162)

APPLICANT: MID HUDSON II HOLDING CO.,

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/22/2002	3 LOTS @ 1,500.00 EA	CHG	4500.00		
07/18/2002	REC. CK. #852	PAID		4500.00	
		TOTAL:	4500.00	4500.00	0.00

12/18/02

[Signature]

[Checkmark]

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/18/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 1-52

NAME: MID HUDSON HOLDING CO. SUB. (PA2000-1162)

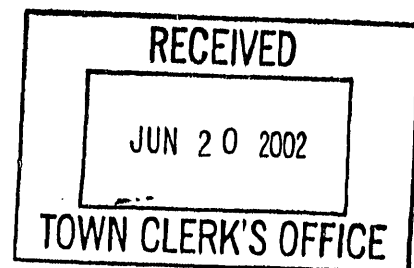
APPLICANT: MID HUDSON II HOLDING CO.,

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/22/2002	APPROVAL FEE	CHG	270.00		
07/18/2002	REC. CK. #848	PAID		270.00	
		TOTAL:	270.00	270.00	0.00



TOWN OF NEW WINDSOR

TOWN CLERK'S OFFICE
555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (845) 563-4611
Fax: (845) 563-4670



REQUEST FOR PUBLIC RECORDS

(Please specify or describe item (s) requested)

Planning Board file for
Autumn Sky Developers

Copies of Minutes & correspondence
from Planning Bd file

3/22/02 letter
9/26/01 Minutes
9/26/01 Eng. Comments
9/12/01 " " 16 Copies
9/12/01 Minutes
8/1/01 Workshop Notes

Date Records Requested: 6/28/02

Name: Penny Thelma

Address: 2 East Rd Wurtsboro NY

Phone: (845) 778-2121

Representing: Jacobowitz & Gbibe

Documents may not be taken from this office.

Shaw Engineering

Consulting Engineers

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
(914) 561-3695

March 18, 2002

Chairman James R. Petro Jr. and
Members of the Planning Board
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12553

Re: Subdivision For Mid-Hudson II Holding Co., Inc.
Old Forge Hill Road

Gentlemen:

Please consider this letter my client's request for two 90 days extensions to the Conditional Subdivision Approval granted by your Board on September 26, 2001.

Thank you in advance for your cooperation in this matter.

✓ Respectfully submitted,

SHAW ENGINEERING



Gregory J. Shaw, P.E.
Principal

GJS:mmv
Enclosure

cc: Steve Michalski, Mid-Hudson II Holding Co., Inc. w/Enclosure

Granted 2 - 90 day Extensions

AS OF: 03/22/2002

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 1- 52

FOR WORK DONE PRIOR TO: 03/22/2002

										-----DOLLARS-----			
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE		
1-52	160933	10/04/00	TIME	MJE	WS MICHALSKI OLD FORGE	85.00	0.40	34.00					
1-52	165001	12/06/00	TIME	MJE	WS MICHALSKI-OLD FORGE	85.00	0.40	34.00					
1-52	175752	06/06/01	TIME	MJE	WS MICHALSKI - FORGE HL	85.00	0.40	34.00					
1-52	179201	08/01/01	TIME	MJE	WS MICHALSKI OLD FORGE	85.00	0.40	34.00					
								136.00					
1-52	182367	08/31/01			BILL 1-858 9/20/01					-195.50			
										-195.50			
1-52	182031	09/10/01	TIME	MJE	MC MID HUDSON SUB	85.00	0.70	59.50					
1-52	183510	09/19/01	TIME	MJE	WS MID HUDSON HOLDING	85.00	0.40	34.00					
1-52	183689	09/26/01	TIME	MJE	MC MID HUDSON HOLDING	85.00	0.50	42.50					
1-52	185025	09/26/01	TIME	MJE	MM MidHudHldg Cond APPL	85.00	0.10	8.50					
								144.50					
1-52	185603	10/25/01			BILL 01-984					-85.00			
										-85.00			
1-52	189090	12/11/01	TIME	MJE	MC TC/MICHALSKI RE SWR	85.00	0.30	25.50					
1-52	189708	12/19/01	TIME	MJE	MC REV MID HUD SWR LTR	85.00	0.30	25.50					
1-52	189709	12/19/01	TIME	MJE	MC TC/SHAW RE MID HUD	85.00	0.30	25.50					
1-52	189711	12/19/01	TIME	MJE	MC TC/GM RE MID HUD SWR	85.00	0.20	17.00					
								93.50					
1-52	190689	12/31/01			BILL 02-202 1/17/02					-93.50			
										-93.50			
1-52	191007	01/07/02	TIME	MJE	MC MICHALSKI W/AC	88.00	0.30	26.40					
1-52	191023	01/08/02	TIME	MJE	MC TC/SHAW RE MICHALSKI	88.00	0.30	26.40					
1-52	194027	02/07/02	TIME	MJE	MC TC/LM MICHALSKI	88.00	0.20	17.60					
								70.40					
1-52	195512	02/25/02			BILL 02-323 2/25/02					-70.40			
										-70.40			
TASK TOTAL								444.40	0.00	-444.40	0.00		
GRAND TOTAL								444.40	0.00	-444.40	0.00		

Clearout

88.00
\$ 532.40



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

June 19, 2002

Jacobowitz and Gubits, LLP
P.O. Box 367
Walden, NY 12586-0367

ATTENTION: PENNY THELMAN, LEGAL ASSISTANT FOR GERALD LENNON

SUBJECT: AUTUMN SKY DEVELOPMENT CO.
TOWN OF NEW WINDSOR TAX MAP #35-1-103.221
YOUR FILE #3785-6

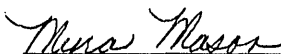
Dear Penny:

I am in receipt of your letter dated 19 June 2002 with reference to subject location. At this time, the only outstanding conditions to my knowledge are the following:

1. Post the Performance Bond in the amount of \$22,460.00.
2. Pay Planning Board fees in the amount previously faxed to your office.

Once the above items are addressed, the plans will be stamped and signed approved by the Planning Board. If you have any further questions in this matter, please contact my office.

Very truly yours,


Myra Mason, Secretary to the
New Windsor Planning Board

MLM:mlm

FAXED

6-19-02

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/04/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
PERFORMANCE BND

FOR PROJECT NUMBER: 1-52

NAME: MID HUDSON HOLDING CO, SUB. (PA2000-1162)

APPLICANT: MID HUDSON II HOLDING CO.,

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/22/2002	PERFORMANCE BOND	CHG	22460.00		
			-----	-----	-----
		TOTAL:	22460.00	0.00	22460.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/04/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 1-52

NAME: MID HUDSON HOLDING CO. SUB. (PA2000-1162)

APPLICANT: MID HUDSON II HOLDING CO.,

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/22/2002	APPROVAL FEE	CHG	270.00		
			-----	-----	-----
		TOTAL:	270.00	0.00	270.00

check #1

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/04/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
RECREATION

FOR PROJECT NUMBER: 1-52

NAME: MID HUDSON HOLDING CO. SUB. (PA2000-1162)

APPLICANT: MID HUDSON II HOLDING CO.,

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/22/2002	3 LOTS @ 1,500.00 EA	CHG	4500.00		
		TOTAL:	4500.00	0.00	4500.00

check #2

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/04/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
4% FEE

FOR PROJECT NUMBER: 1-52

NAME: MID HUDSON HOLDING CO. SUB. (PA2000-1162)

APPLICANT: MID HUDSON II HOLDING CO.,

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
05/22/2002	4% OF\$22,460.00- INSPECT	CHG	898.40		
		TOTAL:	898.40	0.00	898.40

Check # 3

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/04/2002

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 1-52

NAME: MID HUDSON HOLDING CO. SUB. (PA2000-1162)
APPLICANT: MID HUDSON II HOLDING CO.,

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
08/20/2001	REC. CK. #491	PAID		600.00	
09/12/2001	P.B. ATTY. FEE	CHG	35.00		
09/12/2001	P.B. MINUTES	CHG	27.00		
09/26/2001	P.B. ATTY. FEE	CHG	35.00		
09/26/2001	P.B. MINUTES	CHG	22.50		
03/22/2002	P.B. ENGINEER FEE	CHG	532.40		
		TOTAL:	651.90	600.00	51.90

check #4



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
e-mail: mheny@att.net
- ☐ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhepa@ptd.net

MEMORANDUM

TO: PHIL CROTTY, ATTORNEY FOR THE TOWN

FROM: MARK J. EDSALL, P.E. – P.B. ENGINEER

DATE: MARCH 27, 2002

SUBJECT: MID HUDSON HOLDING II – P.B. #01-52 (AKA – AUTUMN SKY
DEVELOPMENT CO.)

Dear Phil:

Please find attached description and check for \$25.00 for Mid Hudson Holding project on Old Forge Hill Road in the Town of New Windsor.

I have checked the description and find it to be consistent with the approved subdivision plan.

In line with the above, I am recommending that the Town Board accept dedication of the strip of land as described herein.

MJE:mlm

Shaw Engineering

Consulting Engineers

February 18, 2002

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
(914) 561-3695

Chairman James R. Petro Jr. and
Members of the Planning Board
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12553

Re: Subdivision For Mid-Hudson II Holding Co., Inc.
Old Forge Hill Road

Gentlemen:

We have presented below for your consideration our Public Improvement Bond Estimate for the new sanitary sewer line to service the Subdivision for Mid-Hudson II Holding Co., Inc. Our Estimate is as follows:

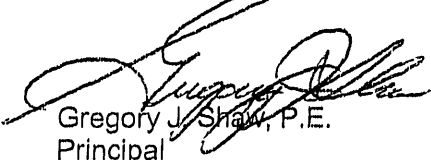
PUBLIC IMPROVEMENT BOND ESTIMATE

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
<u>Sanitary Sewer System</u>			
Test Pits	L.S.	\$ 500	\$ 500
8-Inch PVC Gravity Pipe Including Wyes	384 L.F.	\$ 40	\$ 15,360
4 Foot Dia. Manholes	3	\$ 1,500	\$ 4,500
Concrete Encasement	L.S.	\$ 300	\$ 300
Mainline Pavement Surface Restoration * Controlled backfill	120 L.F.	\$ 2 15	\$ 240 1800
<u>Total Construction Estimate:</u>			\$ 21,020 22,460

Should this Estimate be acceptable to your Board, my client will pay the 4% inspection fee of
~~\$865.~~ 898.40

Respectfully submitted,

SHAW ENGINEERING


Gregory J. Shaw, P.E.
Principal

GJS:mmv

cc: Steve Michalski, Mid-Hudson II Holding Co., Inc.

Transcribed message from Phil's voice mail. May 1, 2002

This is John Simonson. I'm a lawyer from New Paltz, New York. It is my understanding that Mr. Crotty represents the Town of New Windsor. We have a matter that may involve his expertise. This has to do with an escrow arrangement prior to the filing of a subdivision map. Essentially, what we want to do is have a subdivision map issued by the planning board and held in escrow until after a closing of title when a bond for a sewer improvement will be filed. Normally the map doesn't get signed until the bond for the sewer improvement is filed but because of a tax-free exchange issue the map must be available at closing so we need to establish an escrow arrangement, hence, Mr Crotty's involvement. I am at 255-4600 I would appreciate a call back at your earliest convenience. Thank you.

RXM

CC: YLH
JLH

Autumn Sky
Jerry Lennon of Jacobowitz
is purchaser's atty.

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 50.00

ESCROW:

RESIDENTIAL:

___ LOTS @ 150.00 (FIRST 4 LOTS).....\$ _____
___ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$ _____

COMMERCIAL:

___ LOTS @ 400.00 (FIRST 4 LOTS).....\$ _____
___ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$ _____

TOTAL ESCROW DUE....\$ _____

* * * * *

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00
PRELIMINARY PLAT APPROVAL\$ 100.00
FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 120.00
FINAL PLAT SECTION FEE.....\$ 100.00
BULK LAND TRANSFER...(\$100.00).....\$ _____

TOTAL SUBDIVISION APPROVAL FEES.....\$ 270.00 ①

* * * * *

RECREATION FEES:

3 LOTS @ ¹⁵⁰⁰~~500~~.00 PER LOT\$ 4500.00 ②

* * * * *

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ _____
PLANNING BOARD ATTORNEY FEES.....\$ _____
MINUTES OF MEETINGS.....\$ _____
OTHER.....\$ _____

* * * * *

PERFORMANCE BOND AMOUNT.....\$ 22,460.00
4% OF ABOVE AMOUNT.....\$ 898.40 ④

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ _____

2% OF APPROVED COST ESTIMATE:.....\$ _____
(INSPECTION FEE)

MID HUDSON HOLDING COMPANY

MR. PETRO: Next item is request from Mid Hudson Holding Company. "Please consider this letter my client's request for two 90 day extensions to the subdivision approval granted by your board September 26, 2001. Shaw Engineering." Mike, any reason not to do the exactly the same thing?

MR. BABCOCK: No.

MR. PETRO: This will be good. So motion for two 90 day.

MR. BRESNAN: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant two 90 day extensions to Mid Hudson Holding Company for the two 90 day extensions. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

March 22, 2002

Town of New Windsor Town Board
555 Union Avenue
New Windsor, NY 12553

ATTENTION: GEORGE J. MEYERS, SUPERVISOR

SUBJECT: PERFORMANCE BOND FOR MID-HUDSON II HOLDING CO., INC.
OLD FORGE HILL ROAD (P.B. #01-52)

Dear Supervisor Meyers:

As the Board may be aware, the Town Planning Board has granted the subject application conditional final subdivision approval.

The application involved public improvements including a new sanitary sewer line to service the subdivision. I received an estimate from the developer's engineer, Greg Shaw, P.E., with regard to the Public Improvement Bond value. I required revisions to the estimate initially submitted, to be consistent with the work deemed public improvements and unit costs applied for all projects within the Town.

Attached please find the submitted estimate as I have corrected it to reflect current costs. It is my recommendation that the Town Board approve a Public Improvement Bond amount in the revised value of \$22,460.00, as per the attached (revised) breakdown.

The developer will be required to make payment to the Town of an inspection fee in an amount per the Town's fee schedule. It is my understanding that the fee is 4%, which equates to a fee of \$898.40 for this project. Please contact me if you have any questions regarding this recommendation.

Very truly yours,
McGOEY, HAUSER & EDSALL
CONSULTING ENGINEERS, P.C.

Mark J. Edsall, P.E.

Mark J. Edsall, P.E.
Engineer for the Town

MJE:mlm

RESULTS OF P.B. MEETING OF: September 26, 2001

PROJECT: Mid Hudson Holding Sub. P.B.# 01-52

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y__N__

M) B S) A VOTE: A 5 N 0

2. TAKE LEAD AGENCY: Y__N__

CARRIED: YES ✓ NO__

M)__S)__ VOTE: A__N__

CARRIED: YES__NO__

WAIVE PUBLIC HEARING: M) B S) K VOTE: A 5 N 0 WAIVED: Y ✓ N__

SCHEDULE P.H. Y__N__ ✓

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)__S)__ VOTE: A__N__

RETURN TO WORK SHOP: YES__NO__

APPROVAL:

M)__S)__ VOTE: A__N__ APPROVED: _____

M) B S) K VOTE: A 5 N 0 APPROVED CONDITIONALLY: 9-26-01

NEED NEW PLANS: Y__N__

DISCUSSION/APPROVAL CONDITIONS:

<u>Send to Highway - See Henry tomorrow</u>
<u>Submit description to Town Atty.</u>



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 01-52

DATE PLAN RECEIVED: _____

The maps and plans for the Site Approval

Subdivision Mid Hudson II Holding as submitted by Co.

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved ☒

disapproved ☐

If disapproved, please list reason _____

Henry Kuel 10-2-01
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

REGULAR ITEMS:

MID HUDSON II HOLDING CO., INC. SUBDIVISION (01-52)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Proposes subdivision of 5 acre parcel into four single family residential lots. This plan was previously reviewed at the 12 September, 2001 planning board meeting.

MR. LANDER: Mr. Shaw, are there any Federal wetlands on this property?

MR. SHAW: Yes, there is.

MR. PETRO: I want to note for the people for the board members that this is R-5 zoning, five acres, which is 6 units per acre. The applicant contacted myself and that's what we thought would be best for the town. I had suggested these building lots, that's why he's here with a very light use of the 4 building lots instead of putting up 25 or 30 condos. Greg?

MR. SHAW: Thank you, Mr. Chairman. As you mentioned, this application is for Mid Hudson II Holding Company, Inc. and it's a proposed 4 lot residential subdivision on a 5 acre parcel of land on Old Forge Hill Road. Very simply, we're proposing to utilize the existing street frontage and create 4 lots which are in conformance with your zoning ordinance today. We're going to utilize the existing water main, sanitary sewer main that's in the street, three of the units will discharge their waste water by gravity into the line. The unit on lot number 4 which is going to be future north in the lot will have to pump because it's going to be below the elevation of the roadway. We have introduced for lot number 4 two easements, one easement which we're proposing that's not existing is 50 foot wide and it's for the emergency access road for Washington Green condominiums. The second easement that we're proposing is a 50 foot wide easement to cover an existing drainage culvert that runs in that area which drains the property of the Newburgh School

District into the wetlands which are in the northerly portion of our property. Again, all the topo drains in a northerly direction. There will be no discharge to the road. Everything will be pretty much draining to the wetlands which acts as a relatively large storm water detention area. It's a relatively simple subdivision. I may point out before I close that there's an existing 50 foot right-of-way through lot number one which we discussed two weeks ago when I was also before you and that was, that's really to no benefit, that was to provide a secondary access into Washington Green, should that road system be extended through the large Federal wetlands out onto Old Forge Hill Road. I have brought with me a copy of the deed of that parcel for the board's attorney's review for him to come to the same conclusion that we have.

MR. PETRO: Just eliminated off completely the easement or just stay there and, well, you can't let it stay, it's passed the house.

MR. SHAW: I have referenced the fact that it's depicted on a filed map in the office of the Orange County Clerk and just leave it as that.

MR. PETRO: How about the side yard on the house being so close to an easement, Mark, does that affect anything?

MR. EDSALL: I was reviewing the easement with Mike.

MR. PETRO: Side yard off the house being that close to an easement, he's going to leave the easement.

MR. EDSALL: I believe I discussed that last time and determined that it was not a dedication or a road and that you were not looking to enforce front yard setback. There's no code requirement. The only thing would be if you consider it an offer of dedication which it's not.

MR. LANDER: Just don't put the houses on it.

MR. ARGENIO: Or the septic field.

MR. PETRO: We have municipal fire approval on 8/30/2001. Greg we don't have highway approval yet because he did not review the new plan. He says that he is unable to make any approval because no drainage diagram, I assume you have it on this one, but he has not seen it yet, so anything that, any action we take would have to be subject to highway. We took lead agency at the last meeting. We did not vote on the public hearing so you have Washington Green to the north, Greg?

MR. SHAW: Well, this property is situated, you have Conrail to the west of us, to the east of us you have the Newburgh School System, to the north of us you have Washington Green condominiums, but any notices would be sent out would be sent out to the management company of the condominium project and the same for the properties on the south side, again, the management company that being New Windsor Properties LLC, so the residents wouldn't really get the notices, the management company would get notices. My point I don't think a public hearing is necessary.

MR. LANDER: That's your opinion.

MR. SHAW: Yes.

MR. PETRO: Motion to waive the public hearing.

MR. BRESNAN: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for the Mid Hudson II Holding Company.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Motion for negative dec.

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Mid Hudson II Holding company. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: I don't see anything else to look at in this plan, we appreciate him doing less density, take a motion for final approval subject to highway approval.

MR. BRESNAN: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Mid Hudson II Holding Company subject to approval from the highway department, water's approved 9/5/2001.

MR. EDSALL: Add one condition that Greg submit to the Town attorney the description of that portion that's being dedicated to the Town along the front just so that's on record. It's shown on the plan but--

MR. SHAW: Just the description?

MR. EDSALL: Whatever he needs so that he can file it.

MR. SHAW: Understood.

MR. PETRO: So we have two subject-to's. Is there any

September 26, 2001

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further discussion from the board members? If not,
roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

□ **Main Office**
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mheny@att.net

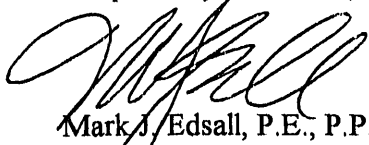
□ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhempa@ptd.net

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: MID HUDSON II HOLDING CO. MINOR SUBDIVISION
PROJECT LOCATION: OLD FORGE HILL ROAD
SECTION 35 – BLOCK 1 – LOT 103.221
PROJECT NUMBER: 01-52
DATE: 26 SEPTEMBER 2001
DESCRIPTION: THE APPLICATION PROPOSES THE SUBDIVISION OF THE 5+
ACRE PARCEL INTO FOUR (4) SINGLE-FAMILY RESIDENTIAL
LOTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE
12 SEPTEMBER 2001 PLANNING BOARD MEETING.

1. As previously noted, the project is located in the R-5 zoning district of the Town. The application appears to comply with all applicable bulk requirements.
2. The applicant's engineer has addressed all previous comments. All easements and right-of-ways have been depicted and appropriately referenced.
3. The Planning Board should verify that the SEQRA process has been completed, or consider a "negative declaration" if not currently done.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW01-52-26Sept01



**McGOEY, HAUSER and EDSALL
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□ **Main Office**
33 Airport Center Drive
Suite #202
New Windsor, New York 12553
(845) 567-3100
e-mail: mheny@att.net

□ **Regional Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765
e-mail: mhpa@ptd.net

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: MID HUDSON II HOLDING CO. MINOR SUBDIVISION
PROJECT LOCATION: OLD FORGE HILL ROAD
SECTION 35 – BLOCK 1 – LOT 103.221
PROJECT NUMBER: 01-52
DATE: 12 SEPTEMBER 2001
DESCRIPTION: THE APPLICATION PROPOSES THE SUBDIVISION OF THE 5+
ACRE PARCEL INTO FOUR (4) SINGLE-FAMILY RESIDENTIAL
LOTS. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The project is located in the R-5 zoning district of the Town. The “required” bulk information on the plan is correct for the current zoning, although the applicant should be aware that the Town currently has pending zoning code changes.

Each of the lots appear to meet the minimum bulk requirements (see comment 3a below).

2. The plans reserve a 50 ft. right-of-way thru lot #1, which I understand will be an offer to the Town of New Windsor. The 50 ft. right-of-way thru lot #4 is an emergency access to Washington Green (as well as a utility easement), which should be to the benefit of the W.G. Homeowners Association.
3. I have reviewed the plan submitted and have the following comments:
 - a. The bulk table should be made complete by indicating “provided” values for each lot individually.
 - b. A culvert is depicted crossing lot #4. Is there an easement? What is its purpose (which way does it flow)?
 - c. Configuration of sewer and water service connections should be depicted.
 - d. An existing stockade fence is depicted. I would assume that this improvement is to be removed.
4. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.

5. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.
6. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE:st
NW01-52-12Sept01

REGULAR ITEMS:

MID HUDSON II HOLDING COMPANY, INC. (01-52)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: This application proposes subdivision of the five acre parcel into four single family residential lots. The plan was reviewed on a concept basis only. Just for the record, I know the owner of the property and this is an R-5 piece, isn't that correct, yes, which would allow condominiums which is 6 units per acre and he thought it would be a better use for that and we're trying to slow down some of the growth a little bit. I thought maybe four lots, single family lots would be a better idea and he agreed and that's why he's here with the four lots. So, in case somebody's wondering why he's not doing condos here, that's the reason. Obviously, everyone knows there's going to be a zone change in the town and this application was sent in prior to obviously it being approved because it's not approved yet and it's a complete application and we're accepting complete applications under the old zoning. And that's the reason why he's here.

MR. LANDER: So, Mr. Chairman, what we're saying we can look at it at the old zoning or the new zoning?

MR. PETRO: No, the old zoning is still in effect and his application is under the old zoning because it's here prior to the approval of the Town Board.

MR. LANDER: Well, that's not what I was explained to at the last meeting. We can look at it two ways, we're going to look at it with the old zoning, but I thought it was my understanding we look at it both ways.

MR. PETRO: If he wanted to submit it for the new zoning but he wants to submit it this way.

MR. LANDER: Okay, just wanted a clarification right now.

MR. SHAW: Thank you. As the Chairman said, this parcel is in an R-5 zone with a minimum lot area 15,000 square feet, minimum lot width of 100 square feet. What we have is created 4 lots. Presently within the lots are an existing 50 foot right-of-way, which is on the westerly side of the property that runs into the Washington Green Condominium site and what physically exists on the easterly portion of lot number 4 is an existing graveled drive along with a water main and a bypass chamber that's been denoted by the manholes and the hydrants out by Forge Hill Road. So what we have done is we have created a new 50 foot wide right-of-way and an existing 50 foot wide right-of-way.

MR. PETRO: Where does the existing gravel road go?

MR. SHAW: Where does it go? It goes into Washington Green Condominium complex as an alternate way of getting into the site, rather than Windsor Highway access. What we did do is create a 50 foot wide right-of-way to go along with the existing 50 foot wide right-of-way. We have created 4 lots. Along with that, you can see the Federal freshwater wetlands which are in the back which are shaded. The issue at hand, one is do you like the concept plan and number two is you'll notice on the drawings that we have our setback lines, lots number 2 and 3 are pretty straightforward, that's a lot width of 100 feet and we have ample room to set the houses. As you can see on lot number 4 with this 50 foot wide right-of-way, we can take our house and set it back far enough into the lot in order to meet the setbacks. The real question at hand is how does the board want to treat lot number 1 with the existing 50 foot wide right-of-way. Again, realizing that this right-of-way probably will never be built at least in my opinion because it substantially goes through the wetlands. Does this board feel that that 50 foot wide right-of-way is a front yard setback, therefore requires the building to be set back 35 feet? Is it 35 feet from that right-of-way or is it just a paper right-of-way which will never be used and my client can build up against it? I can tell you I looked at shifting the lot lines around and if the board feels that it's imperative to have a front yard setback off that 50 foot wide right-of-way, I can get 4

lots on here, but the lot line's going to be a little skewed and I think this is really a better layout.

MR. LANDER: How much is a little, Mr. Shaw?

MR. SHAW: Probably taking the lot lines and put them off at this kind of an angle, if running through here.

MR. PETRO: Hold up a second here, what's the 50 foot right-of-way, that's not where the road deadends, though, is it, the one that I want to open it? That's not it, that's over this way. So what's the right-of-way for?

MR. SHAW: I really don't know. That was created on the filed condominium plan that was filed in the clerk's office. So, if you go to the tax maps, you'll see that this is a separate and distinct parcel with this 50 foot wide right-of-way running over it. It was on the drawing and filed when this board approved it.

MR. LANDER: You're thinking on the road to go, to come out by Continental Manor but that's not it.

MR. PETRO: Does the Town of New Windsor own the right-of-way?

MR. SHAW: No, it belongs to my client, it's part of his parcel.

MR. PETRO: Just a right-of-way on the property to where, to who?

MR. MICHALSKI: Steve Michalski. The gentleman who built Washington Green owned this piece. At one time, he was going to build 60 senior citizen unites on this piece, that was his proposal, had to go for a variance and as part of that, if you're going to build 60 senior citizen units, you have to build a right-of-way from Washington Green. The Washington Green road goes all the way through this piece. So since he owned this piece, he filed a map showing a potential right-of-way through here, it's not going to be built because this is not going to have 60 senior citizen units, it's all wetlands, kind of a moot point, it's a dead road there.

MR. PETRO: Enough of that, that's it, the right-of-way is meaningless.

MR. LANDER: Mr. Krieger, the legal issue here, can we just ignore that 50 foot right-of-way?

MR. KRIEGER: Well, if it's a deeded right-of-way, no.

MR. MICHALSKI: It's not on the deed, it's on a previous filed map, he filed it showing a 50 foot right-of-way, it's not in the deed, just on the map.

MR. PETRO: I don't want to go round and round because you're not going to come up with an answer now that you're sure of and he's telling us one thing, I don't mean that wise, it's impossible for you to do it, let's assume it's a non-issue, look into it and next time you're back, we'll have a determination on it. If what he says is true and I kind of believe it, then the lot can stand the way it is.

MR. SHAW: Why don't we assume that it is what Mr. Michalski is saying us, we'll get a copy of the deed and give it to Mr. Krieger.

MR. PETRO: I'm assuming what he says is correct and Andy's going to verify it.

MR. SHAW: With that point passed us yet we still have to verify how does the board feel about the concept layout of the lots?

MR. KARNAVEZOS: Fine.

MR. LANDER: Fine.

MR. PETRO: What's the existing culvert pipe on lot number 4, what does it service, what does it do?

MR. SHAW: I'm not sure, do you know what that drains, Steve?

MR. MICHALSKI: I don't know.

MR. PETRO: Can you look into that?

MR. MICHALSKI: I just wanted to say that you are talking about the zoning, I originally was thinking of doing apartments, I talked to the Supervisor, he didn't like the idea of the apartments. I can do about 24 apartments there or townhouses, this has a lot less impact, obviously, than that has more of an impact than four houses and--

MR. LANDER: I was going to say something but I'll keep my mouth shut cause he reads the minutes.

MR. PETRO: Mark, do you want to say anything?

MR. EDSALL: No, I provided Greg with a copy of my comments, I'm sure he'll address them.

MR. PETRO: Motion for lead agency.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. LANDER: Steve, the stone walls that are there, now, can we leave those, if you do get approval, I see stone walls on the plan here, they're right by the property line, I mean I know you have to open them up.

MR. MICHALSKI: The one in the front, yeah, that can be left, yeah, there's one in the middle of the property.

MR. LANDER: They have some historic value maybe.

MR. PETRO: Check on the culvert, Andy's going to work on the right-of-way which I have a feeling it's going to be nothing.

MR. SHAW: If the board has no objection, once we satisfy Mr. Krieger, we'll continue working on the subdivision plans and return for the approval process.

MR. PETRO: Let's discuss public hearing also, you're surrounded by R-5, surrounded by single family, it's all R-5, correct?

MR. SHAW: Yes.

MR. LANDER: I think we should have a public hearing, Mr. Chairman.

MR. KARNAVEZOS: I personally don't see the reason for it but--

MR. PETRO: By rights, he can have 30 units there.

MR. SHAW: Not to interrupt you, we have Washington Green to the rear, we have a school over here, we have the apartments over here and we have a Conrail there.

MR. MICHALSKI: And you have houses that are on real tiny lots around the corner there as you go around the bend there, it's the least possible impact you can have.

MR. PETRO: I'm on the fence either way. I'll tell you what we're going to do, we'll talk about the public hearing next time you come in.

MR. SHAW: Good idea. Thank you.

RESULTS OF P.B. MEETING OF: Sept. 12, 2001

PROJECT: Mid Hudson Holding

P.B.# 01-52

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y__ N__

M)__ S)__ VOTE: A__ N__

2. TAKE LEAD AGENCY: Y ☒ N__

CARRIED: YES__ NO__

M) L S) K VOTE: A 3 N 0

CARRIED: YES ☒ NO__

WAIVE PUBLIC HEARING: M)__ S)__ VOTE: A__ N__ WAIVED: Y__ N__

SCHEDULE P.H. Y__ N__

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)__ S)__ VOTE: A__ N__

RETURN TO WORK SHOP: YES__ NO__

APPROVAL:

M)__ S)__ VOTE: A__ N__ APPROVED: _____

M)__ S)__ VOTE: A__ N__ APPROVED CONDITIONALLY: _____

NEED NEW PLANS: Y__ N__

DISCUSSION/APPROVAL CONDITIONS:

<u>Check on 50' R-O-W (Andy Krueger)</u>
<u>What is culvert pipe for?</u>
<u>Stone wall in front to remain</u>

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/21/2001

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER; 1-52

NAME: MID HUDSON HOLDING CO, SUB. (PA2000-1162)

APPLICANT: MID HUDSON II HOLDING CO.,

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
08/20/2001	REC. CK. #491	PAID		600.00	
		TOTAL:	0.00	600.00	-600.00

[Handwritten signature]

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#798-2001

08/21/2001

Autumn Sky Development Co.
P O Box 208
New Paltz, NY 12561

Received \$ 50.00 for Planning Board Fees on 08/21/2001. Thank you for stopping by
the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PB# 01-52
Application Fee.

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: August 30, 2001

SUBJECT: Mid Hudson II Holding Co. Inc.

Planning Board Reference Number: PB-01-52

Dated: 20 July 2001

Fire Prevention Reference Number: FPS-01-050

A review of the above referenced subject subdivision plan was conducted on 29 August 2001.

This subdivision plan is acceptable.

Plans Dated: 15 August 2001.

A handwritten signature in black ink, appearing to read 'R. F. Rodgers', is positioned above the printed name.

Robert F. Rodgers



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 01-52

DATE PLAN RECEIVED: RECEIVED

JUL 20 2001

Please return
by 9/10/01

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved _____,
disapproved _____.

If disapproved, please list reason _____

Unable to make any appeal no change
diagram

RECEIVED

AUG 22 2001

N.W. HIGHWAY DEPT.

[Signature] [Signature] 9/10/01
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

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555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

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MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 01-52

DATE PLAN RECEIVED: RECEIVED

JUL 20 2001

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

_____ for the building or subdivision of _____

Mid Hudson - Holding Co. Inc. has been

reviewed by me and is approved ✓

~~disapproved~~ _____

If disapproved, please list reason _____

Water is available for this project - Please
notify water dept. for discussion.

HIGHWAY SUPERINTENDENT _____ DATE _____

Steve D.T.O. 9-1-01
WATER SUPERINTENDENT _____ DATE _____

SANITARY SUPERINTENDENT _____ DATE _____



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
507 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 01-52
WORK SESSION DATE: 1 AUG 01
REAPPEARANCE AT W/S REQUESTED: No APPLICANT RESUB. REQUIRED: Full App
PROJECT NAME: Michalski Old Forge Hill
PROJECT STATUS: NEW X OLD _____
REPRESENTATIVE PRESENT: Steve M/Greg Shaw
MUNIC REPS PRESENT: BLDG INSP. X
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Old Forgettill Road

- need to know if road is to be reserved
- water/sewer access should be reserved.
- do we measure as front or side yard

They will make app ASAP for sketch city.

CLOSING STATUS

- ☒ Set for agenda
☒ possible agenda item
☐ Discussion item for agenda
☐ ZBA referral on agenda

pbwsform 10MJE98



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
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- ☐ Main Office
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(914) 562-8640
- ☐ Branch Office
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Milford, Pennsylvania 18337
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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW WINDSOR P/B # 01-52
WORK SESSION DATE: 6 JUN 01 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: Yes REQUIRED: Full Later
PROJECT NAME: Michalski Forge Hill
PROJECT STATUS: NEW X OLD _____
REPRESENTATIVE PRESENT: Steve Michalski
MUNIC REPS PRESENT: BLDG INSP. _____
FIRE INSP. Rich
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Forge Hill prop next to Wash Green
- is 50' easement to Twp
- Fed wetlands are subtracted
- for Private Rd.
- asking for waiver
- disc Moodna purchase
- disc DEC + DOH

pbwsform 10MJ98

CLOSING STATUS

- ☒ Set for agenda
- ☒ possible agenda item
- ☒ Discussion item for agenda
- ☒ ZBA referral on agenda

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision x Lot Line Change _____ Site Plan _____ Special Permit _____

Tax Map Designation: Sec. 35 Block 1 Lot 103.221

BUILDING DEPARTMENT REFERRAL NUMBER 2000 - 1162

1. Name of Project Subdivision For Mid Hudson II Holding Co., Inc.

2. Owner of Record Autumn Sky Development Co., Phone (845) 256-9031

Address: P.O. Box 298, New Paltz, NY 12561
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Mid Hudson II Holding Co., Phone (845) 256-9031

Address: P.O. Box 150, Wallkill, NY 12589
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Gregory J. Shaw, PE Phone 561-3695

Address: 744 Broadway, Newburgh, NY 12550
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney _____ Phone _____

Address _____
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

Gregory J. Shaw, PE 561-3695
(Name) (Phone)

7. Project Location: On the north side of Old Forge Hill Road feet
(Direction) (Street) (No.)
west of Windsor Highway
(Direction) (Street)

8. Project Data: Acreage 5.04 Zone R-5 School Dist. Newburgh Enlarged

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No x

*This information can be verified in the Assessor's Office.

*If you answer yes to question 9, please complete the attached Agricultural Data Statement.

10. Description of Project: (Use, Size, Number of Lots, etc.) The subdivision of 5.04 acres into 4 single family detached building lots having a minimum lot area of 15,000 S.F.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no ✓

12. Has a Special Permit previously been granted for this property? yes _____ no ✓

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

3rd DAY OF August, 2001

Margaret Andryshak
NOTARY PUBLIC

MidHudson II Holding Co. Inc.

x Steven Michalski
APPLICANT'S SIGNATURE

Steven Michalski
Please Print Applicant's Name as Signed

TOWN USE ONLY RECEIVED

JUL 20 2001

DATE APPLICATION RECEIVED

01-52

APPLICATION NUMBER

MARGARET ANDRYSHAK
Notary Public, State of New York
No. 01AN468246
Qualified in Orange County
Commission Expires November 30, 20 02


for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

01-52

**TOWN OF NEW WINDSOR PLANNING BOARD
SUBDIVISION/LOT LINE CHANGE CHECKLIST**

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

1. X Name and address of Applicant.
- * 2. X Name and address of Owner.
3. X Subdivision name and location
4. X Provide 4" wide X 2" high box **(IN THE LOWEST RIGHT CORNER OF THE PLAN)** for use by Planning Board in affixing Stamp of Approval.
(ON ALL PAGES OF SUBDIVISION PLAN)

SAMPLE: 
5. X Tax Map Data (Section, Block & Lot).
6. X Location Map at a scale of 1" = 2,000 ft.
7. X Zoning table showing what is required in the particular zone and what applicant is proposing.
8. X Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
9. X Date of plat preparation and/or date of any plat revisions.
10. X Scale the plat is drawn to and North arrow.
11. X Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
12. * Surveyor's certificate.
13. * Surveyor's seal and signature.
14. X Name of adjoining owners.
15. X Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- * 16. NA Flood land boundaries.
17. NA A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
18. * Final metes and bounds.

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19. X Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
20. X Include existing or proposed easements.
21. X Right-of-way widths.
22. NA Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
23. X Lot area (in square feet for each lot less than 2 acres).
24. X Number the lots including residual lot.
25. NA Show any existing waterways.
- *26. NA A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
27. * Applicable note pertaining to owners review and concurrence with plat together with owners signature.
28. * Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
29. * Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
30. NA Show all and proposed on-site A septic system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
31. NA Provide A septic system design notes as required by the Town of New Windsor.
32. X Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
33. X Indicate percentage and direction of grade.
34. X Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
35. NA Indicate location of street or area lighting (if required).

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REFERRING TO QUESTION 9 ON THE APPLICATION FOR THIS PROPERTY
WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR
WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL
DISTRICT, PLEASE NOTE THE FOLLOWING:

36. NA Referral to Orange County Planning Dept. is required for all
applicants filing AD Statement.
37. NA A disclosure Statement, in the form set below, must be inscribed
on all subdivision maps prior to the affixing of a stamp of
approval, whether or not the Planning Board specifically requires
such a statement as a condition of approval.

APrior to the sale, lease, purchase, or exchange of property on this site which is wholly or
partially within or immediately adjacent to or within 500 feet of a farm operation, the
purchaser or leasor shall be notified of such farm operation with a copy of the following
notification.

It is the policy of this State and this community to conserve, protect and encourage the
development and improvement of agricultural land for the production of food, and other
products, and also for its natural and ecological value. This notice is to inform
prospective residents that the property they are about to acquire lies partially or wholly
within an agricultural district or within 500 feet of such a district and that farming
activities occur within the district. Such farming activities may include, but not be
limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of
New Windsor Planning Board may require additional notes or revisions prior to granting
approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN
ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR
ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

* Denotes that required information will be provided
in a later submission

BY: _____
Licensed Professional Date

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PROJECT I.D. NUMBER

617.21

SEQR

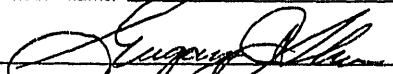
Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <u>MidHudson II Holding Co., Inc.</u>	2. PROJECT NAME <u>Subdivision For MidHudson II Holding Co.,</u>
3. PROJECT LOCATION: Municipality <u>Town Of New Windsor</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>North side of Old Forge Hill Road, 1000 feet west of Windsor Highway</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>Subdivision of 5.04 acres into 4 residential lots</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>5.04</u> acres Ultimately <u>5.04</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>MidHudson II Holding Co., Inc.</u>	Date: <u>August 14, 2001</u>
Signature: 	Engineer For Applicant

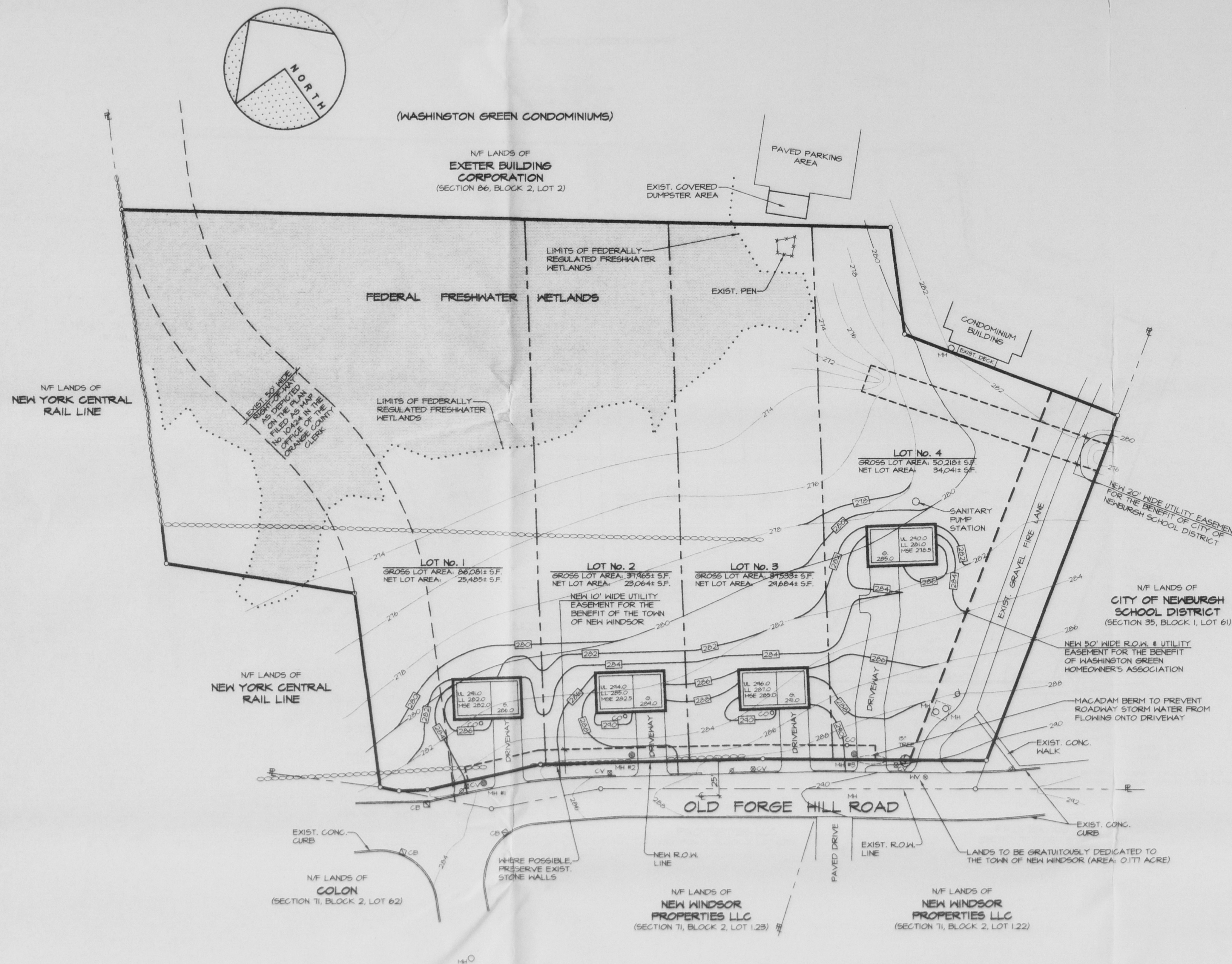
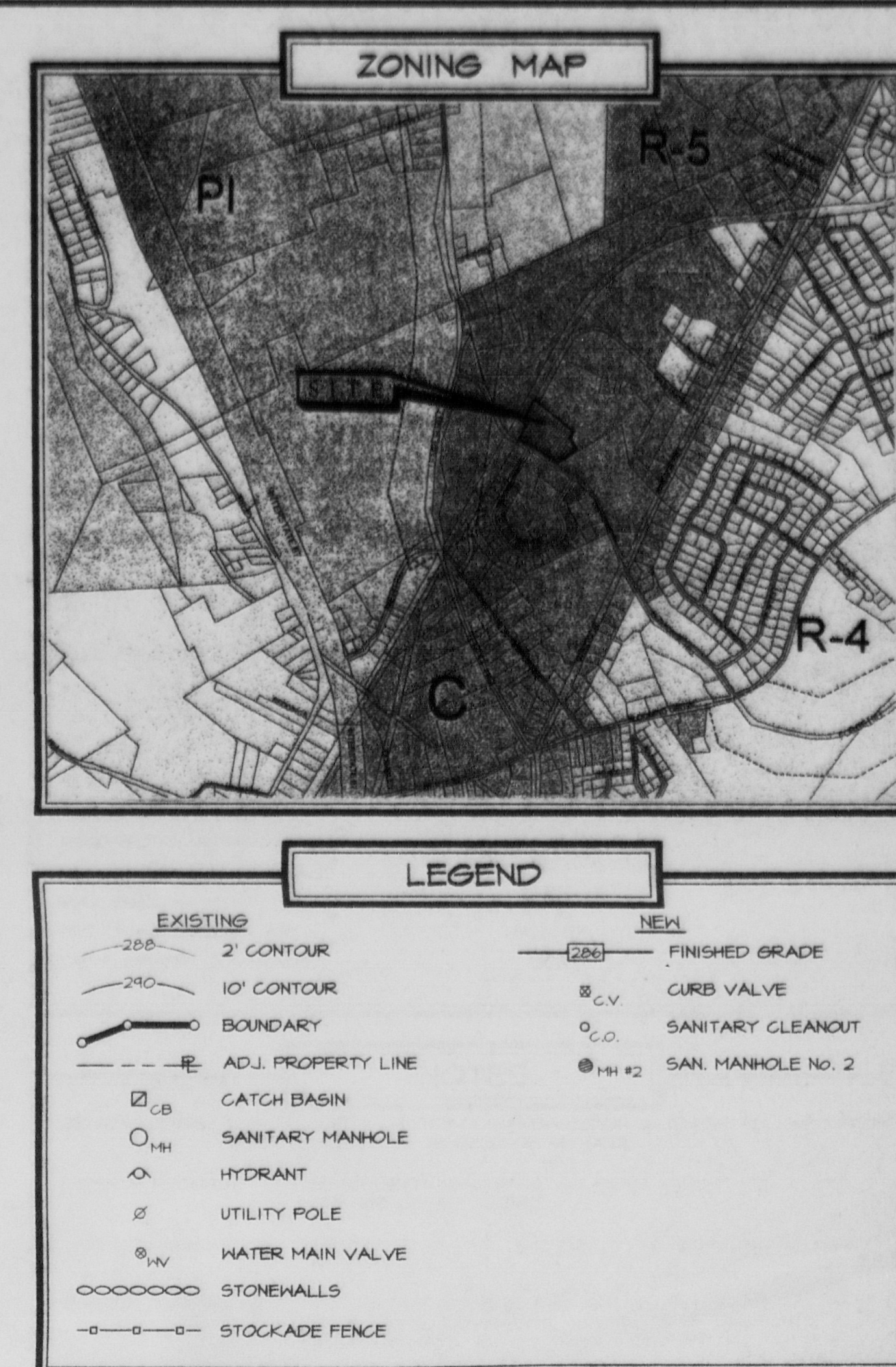
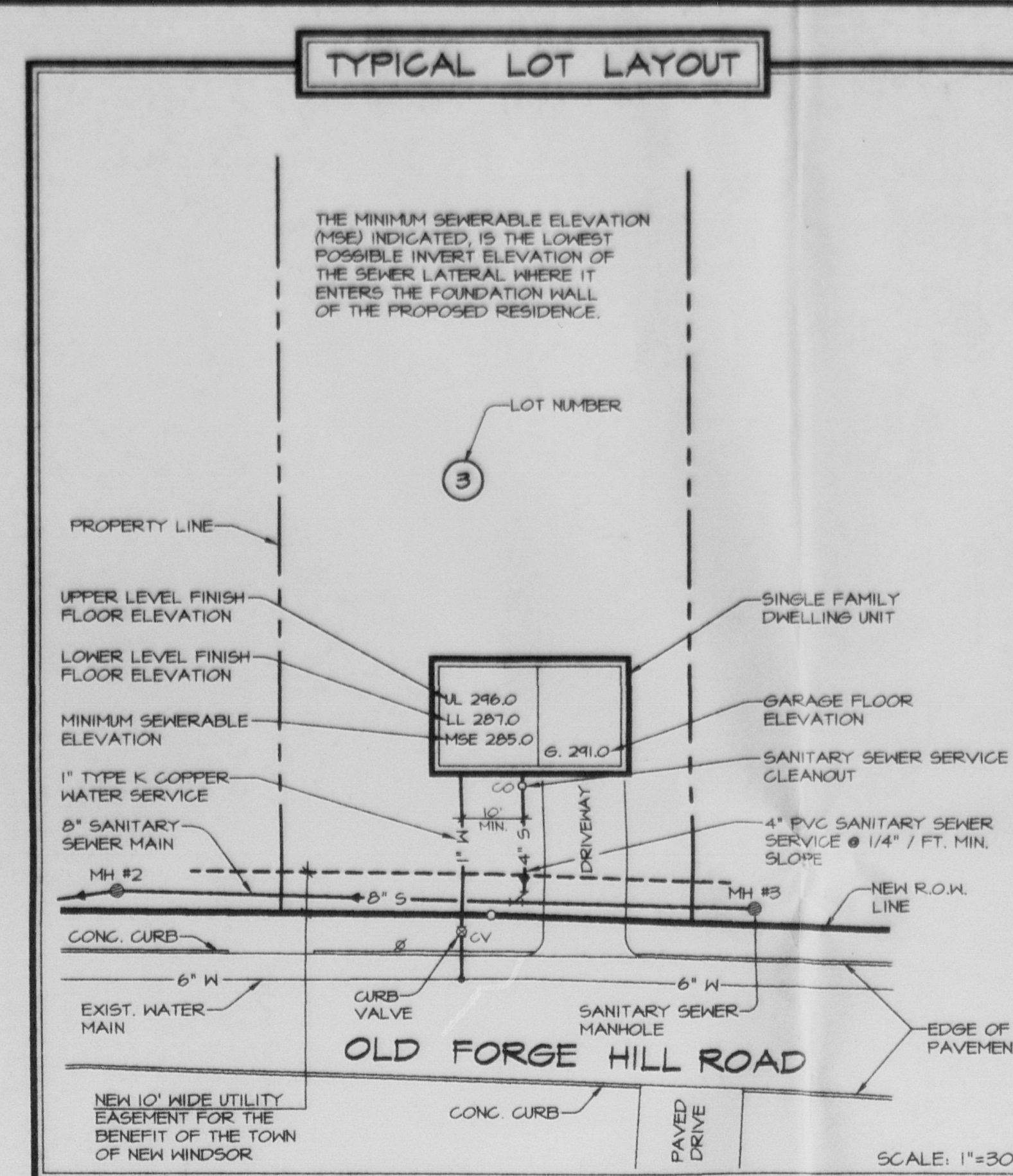
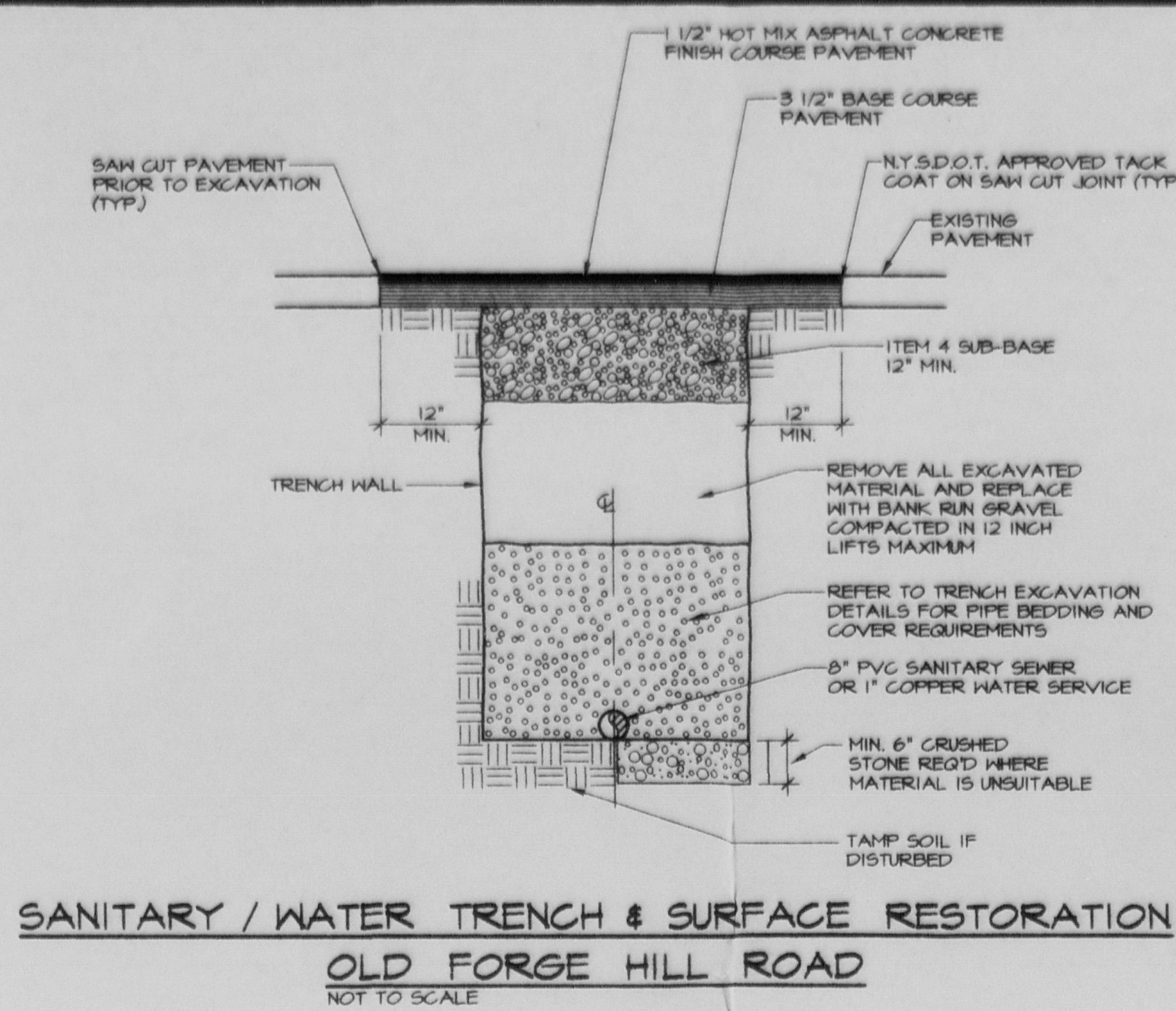
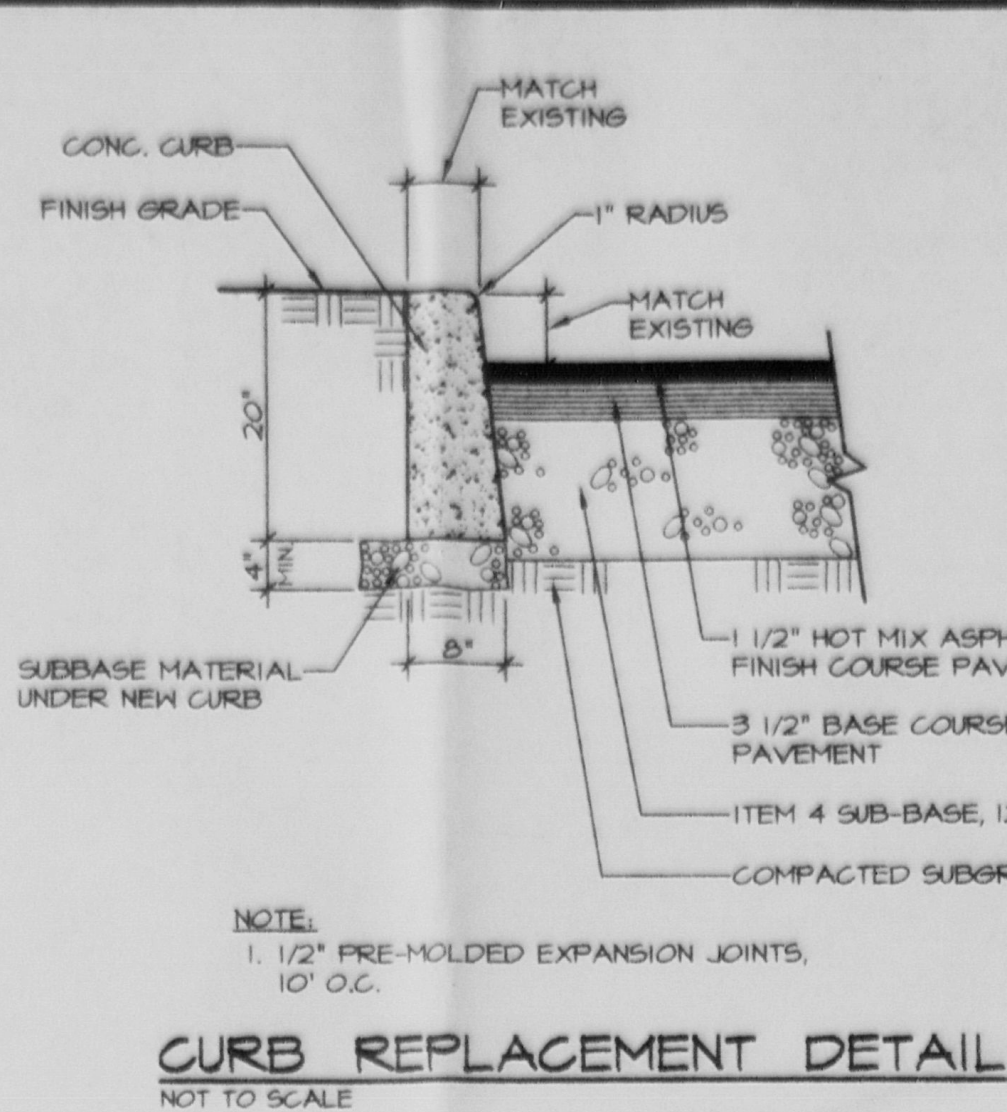
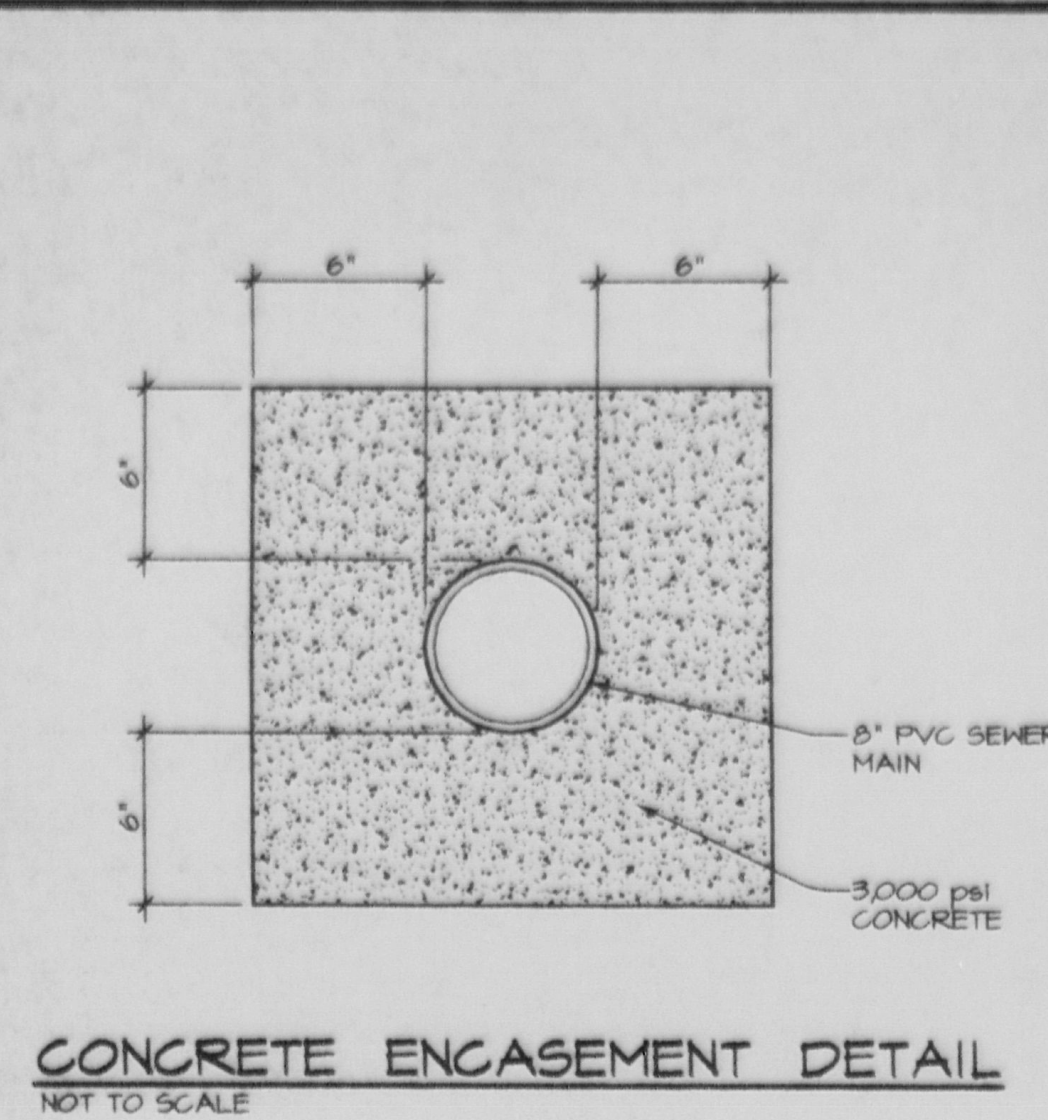
If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

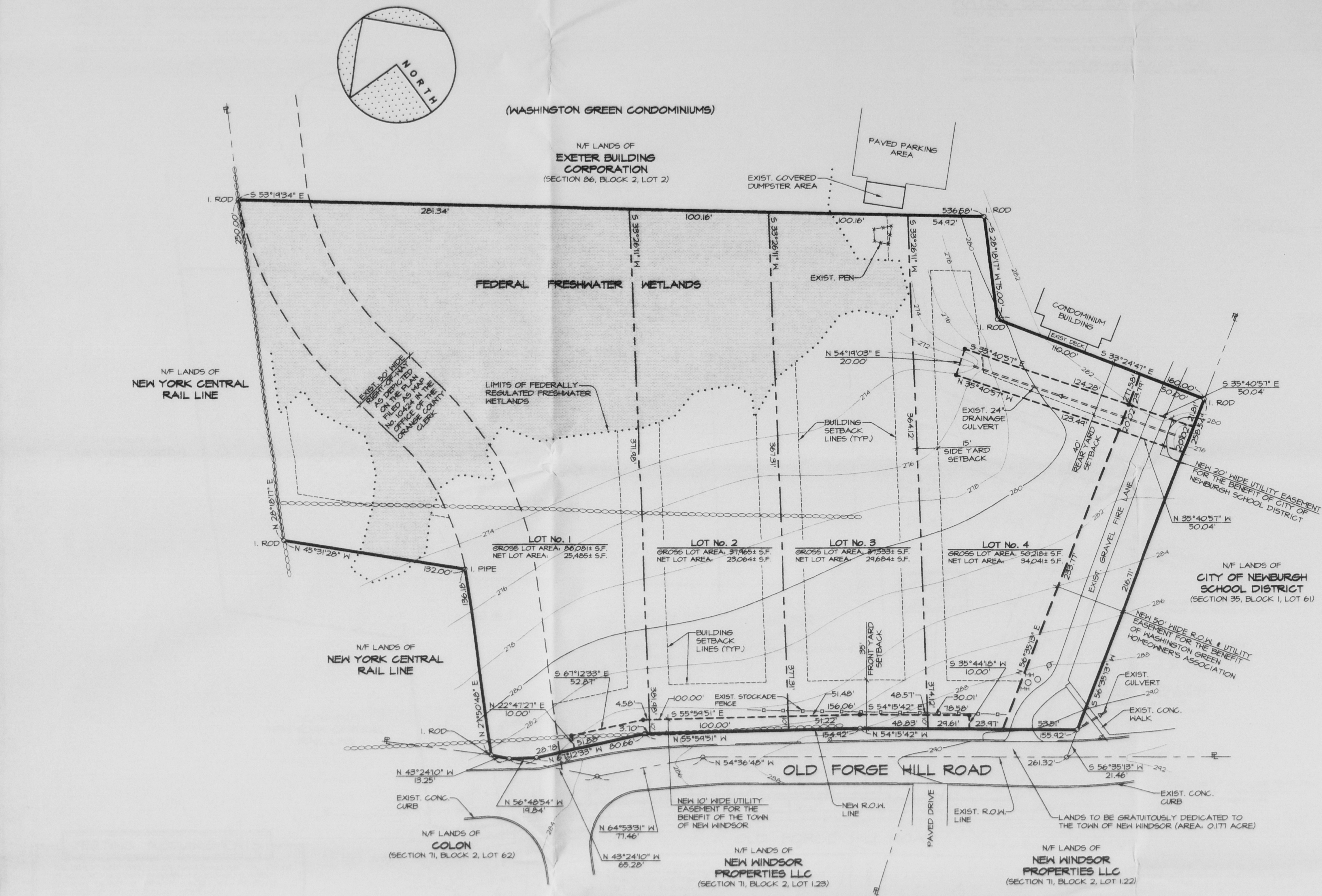
OVER RECEIVED

1

JUL 20 2001

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LEGEND

EXISTING
200 2' CONTOUR
200 10' CONTOUR
BOUNDARY
ADJ. PROPERTY LINE
HYDRANT
UTILITY POLE
STORM SEWER
STONEWALLS

ZONING SCHEDULE

ZONE: R-5 (MULTIPLE FAMILY RESIDENTIAL)
USE: A-1 - ONE FAMILY DWELLINGS, NOT TO EXCEED 1 DWELLING ON EACH LOT, WITH BOTH CENTRAL SEWER AND CENTRAL WATER

BULK REGULATIONS: R-5 ZONE	REQUIRED
MIN. LOT AREA	15,000 S.F.
MIN. LOT WIDTH	100 FT.
REQUIRED FRONT YARD	35 FT.
REQUIRED SIDE YARD - ONE	15 FT.
REQUIRED SIDE YARD - BOTH	30 FT.
REQUIRED REAR YARD	40 FT.
REQUIRED STREET FRONTAGE	60 FT.
MAX. BUILDING HEIGHT	35 FT.
MIN. LIVABLE FLOOR AREA	1,000 S.F.
DEVELOPMENT COVERAGE	30%

- NOTES**
- BEARING BASIS: NORTH ORIENTATION IS BASED ON DATUM ESTABLISHED FROM FILED MAP OR DEED OF RECORD.
- DEED OF RECORD: BEING LIBER 4860 PAGE 163, FILED WITH OFFICE OF THE ORANGE COUNTY CLERK.
- TAX LOT DESIGNATION: SECTION 35, BLOCK 1, LOT 103.22, AS SHOWN ON THE TOWN OF NEW WINDSOR MAPS.
- GENERAL MAP NOTES:
- THIS SURVEY IS SUBJECT TO ANY RECORDED AND/OR UNRECORDED COVENANTS, RESTRICTIONS, EASEMENTS, RIGHT-OF-WAYS, AND AGREEMENTS, IF ANY.
 - UNLESS ILLUSTRATED AND NOTED BY A POINT OF REFERENCE, UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS, IF ANY, ARE NOT SHOWN HEREON.
 - ALL BUILDINGS AND IMPROVEMENT OFFSETS SHOWN ARE AT RIGHT ANGLES TO PROPERTY LINES.
 - ALL HEDGES AND GROUND COVER ON THE SITE MAY NOT BE SHOWN ON THIS SURVEY.
- MAP REFERENCES: *AMENDED WASHINGTON GREEN CONDOMINIUM NO. 2* FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON DECEMBER 17, 1991 AS MAP NUMBER 10424.

TOWN OF NEW WINDSOR PLANNING BOARD
STAMP OF APPROVAL

APPROVAL GRANTED BY TOWN OF NEW WINDSOR
JUL 2 4 2002
By: [Signature]
James Brosnan, Secretary

DRAWINGS ARE INVALID AND INCOMPLETE UNLESS ACCOMPANIED BY DRAWINGS 1 OF 4 THROUGH 4 OF 4.

ANTHONY A. SORACE, P.L.S.
PROFESSIONAL LAND SURVEYOR
ROCK TAVERN, NEW YORK - 12975
(845) 496-3967

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY, MARKED WITH AN ORIGINAL LAND SURVEYORS RAISED EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

THE ALTERATION OF THIS SURVEY MAP BY ANYONE OTHER THAN THE ORIGINAL PREPARER IS MISLEADING, CONFUSING AND NOT IN THE GENERAL WELFARE AND BENEFIT OF THE PUBLIC. IT IS A VIOLATION OF SECTION 1209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNER OF THE PROPERTY HERE-ON STATES THAT HE/SHE IS FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS, AND HEREBY CONSENTS TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON-ON AND TO THE FILING OF THIS MAP.

SIGNED THIS 15 DAY OF February 2002
Steven Mackinbelle, possessor

CERTIFICATION

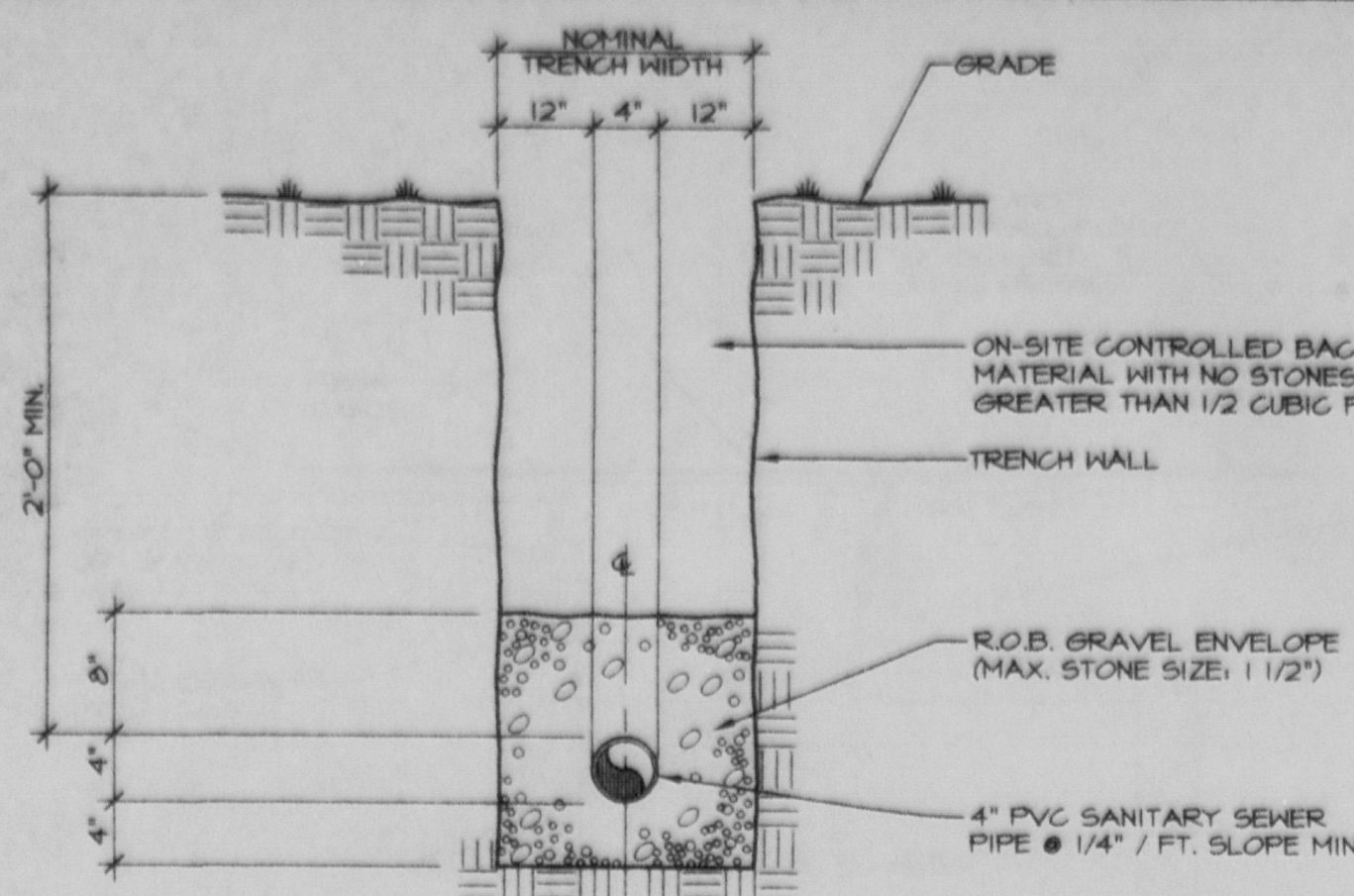
I, ANTHONY A. SORACE, P.L.S., DO HEREBY CERTIFY IN MY PROFESSIONAL OPINION, ONLY TO PARTIES LISTED BELOW THAT THIS SURVEY IS THE RESULT OF AN ACTUAL FIELD SURVEY COMPLETED ON JANUARY 27, 2001 AND COMPLIES WITH EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF LAND SURVEYORS.

ISSUE	REVISION	DATE
1	UTILITY EASEMENT	1-28-2002

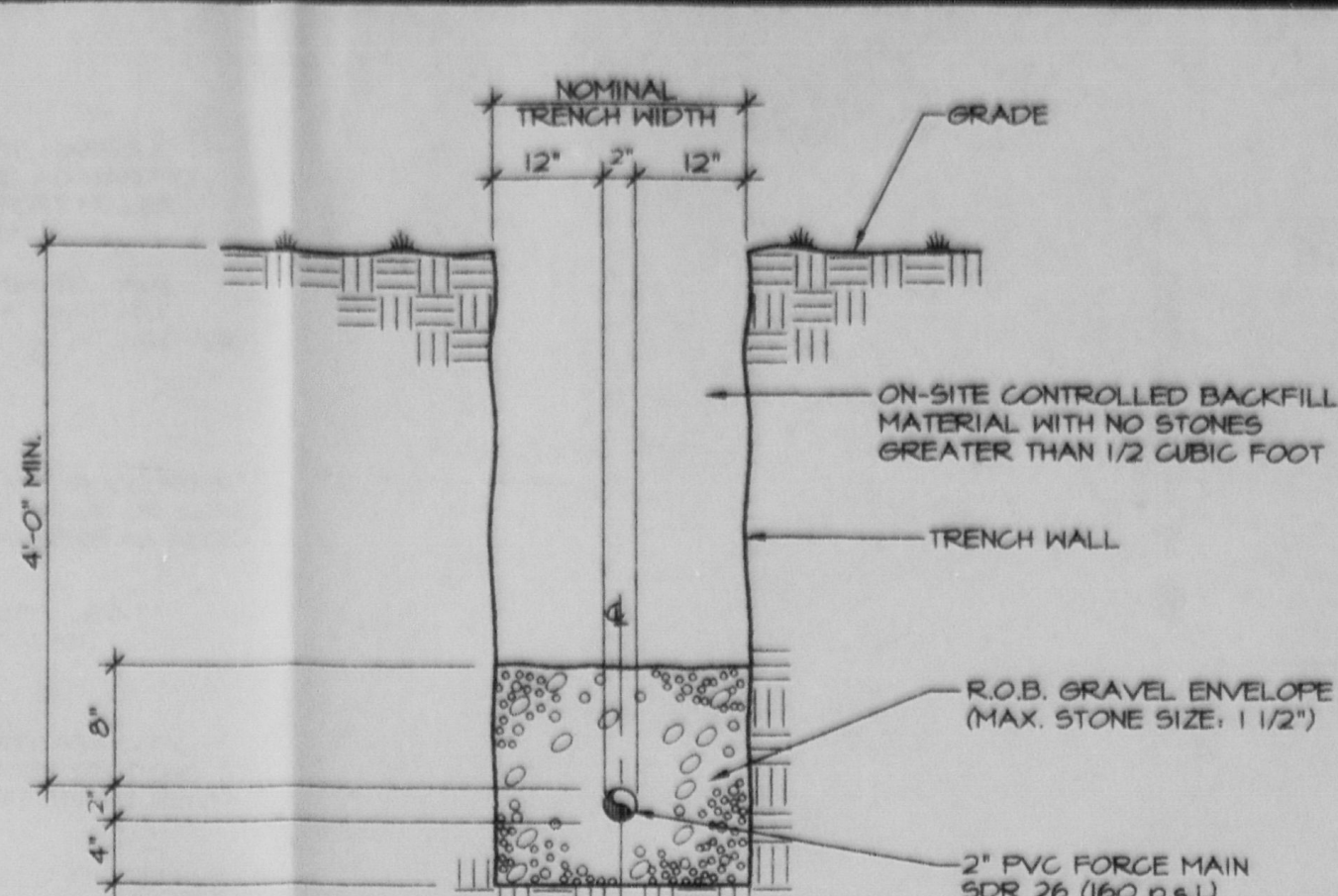
Drawn By: J.R.J.
Checked By: G.J.S.
Scale: 1"=40'
Date: 9-19-2001

Drawing: **SUBDIVISION PLAN**
Project: **MID HUDSON II HOLDING CO., INC.**
OLD FORGE HILL ROAD TOWN OF NEW WINDSOR, N.Y.

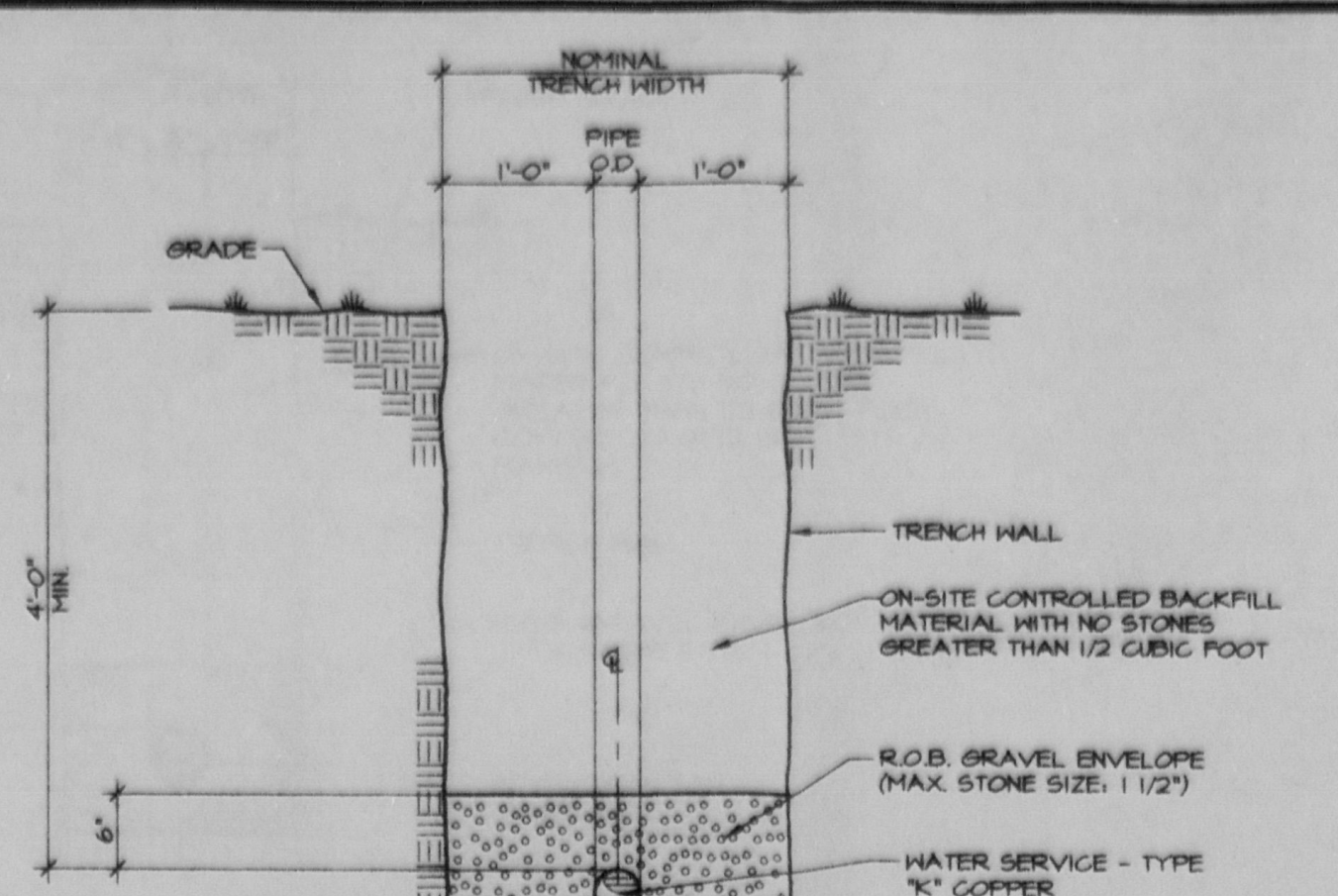
2 OF 4
Project No. 0105



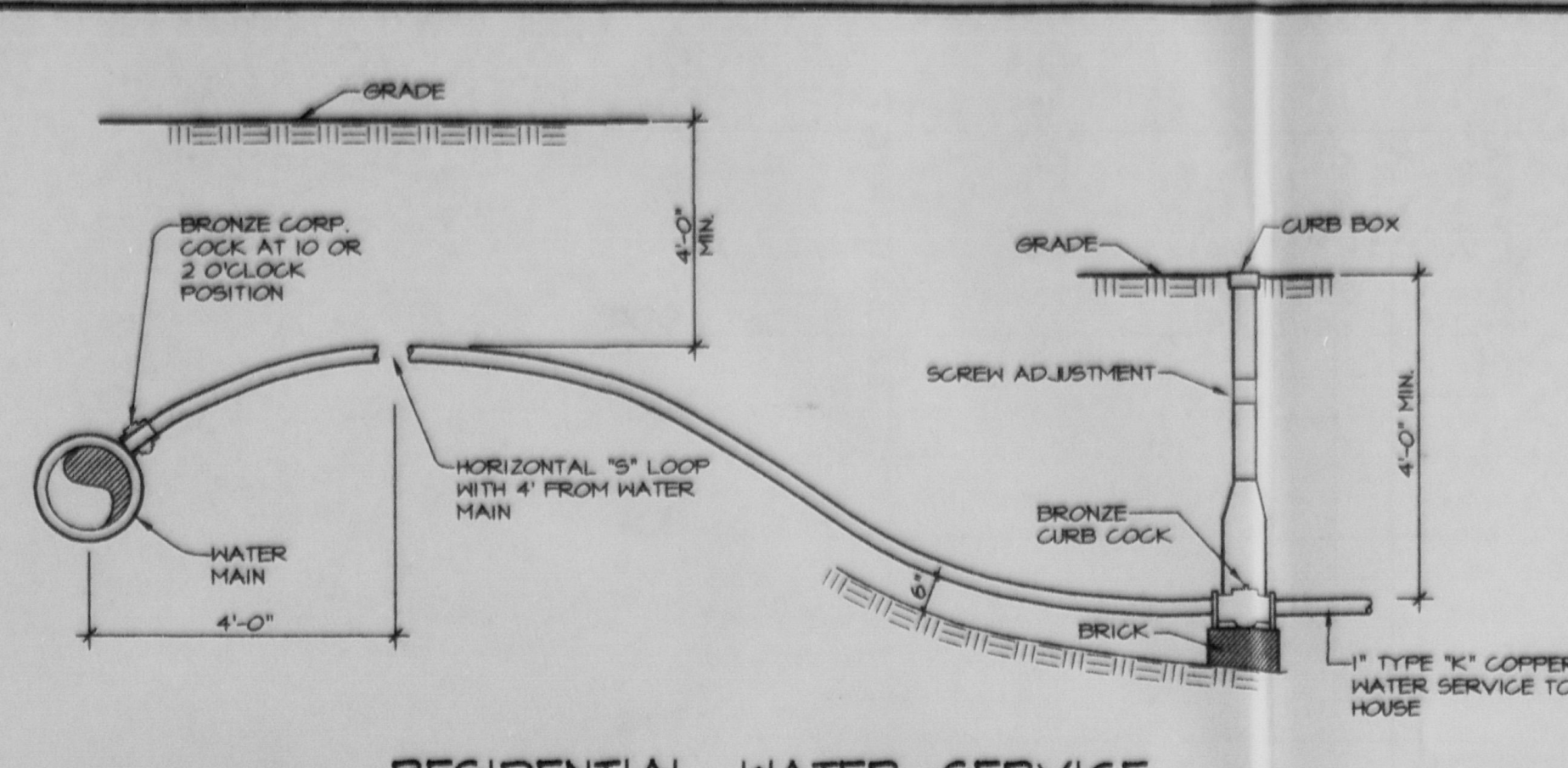
SANITARY LATERAL TRENCH EXCAVATION
NOT TO SCALE



FORCE MAIN TRENCH DETAIL
NOT TO SCALE



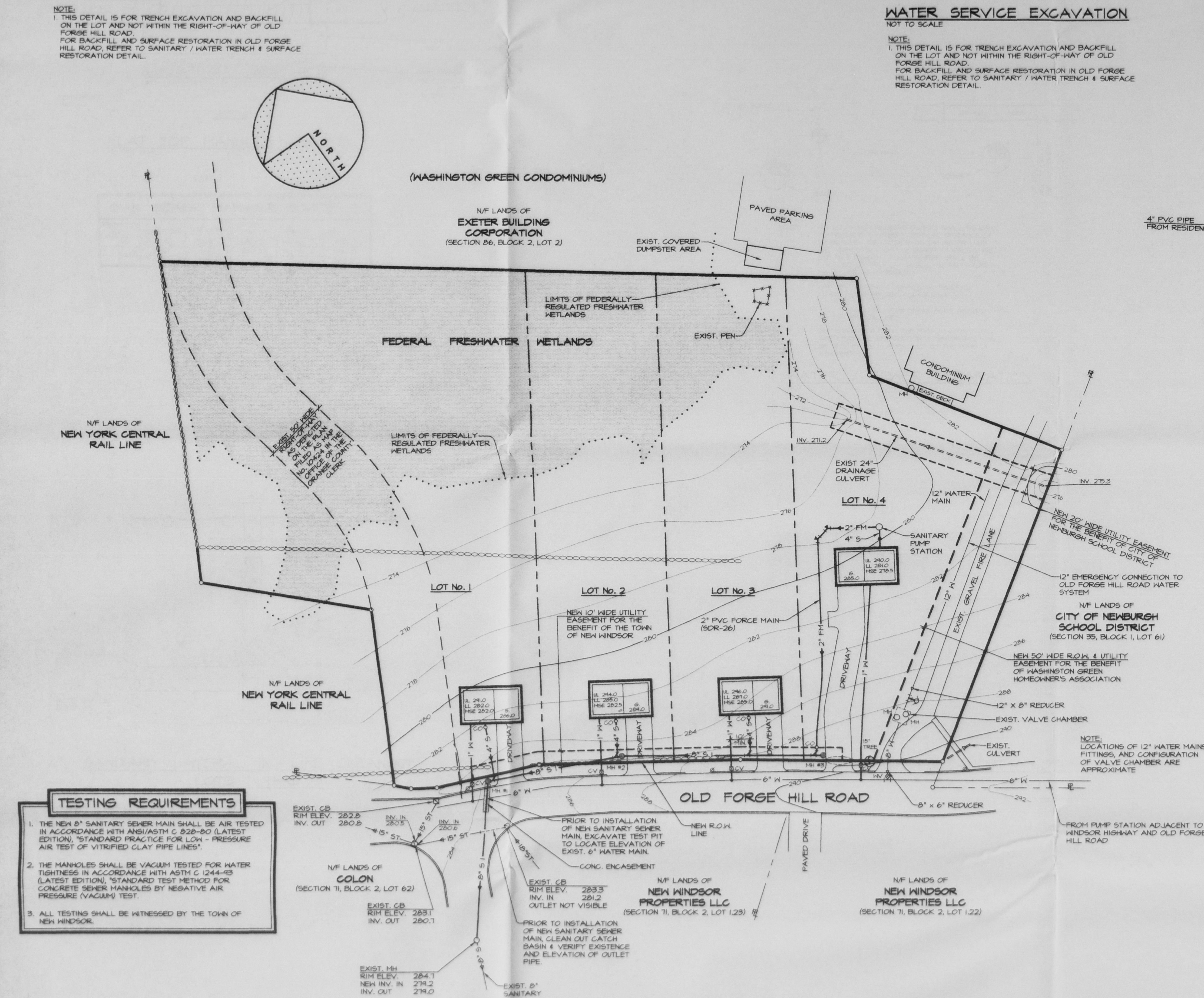
WATER SERVICE EXCAVATION
NOT TO SCALE



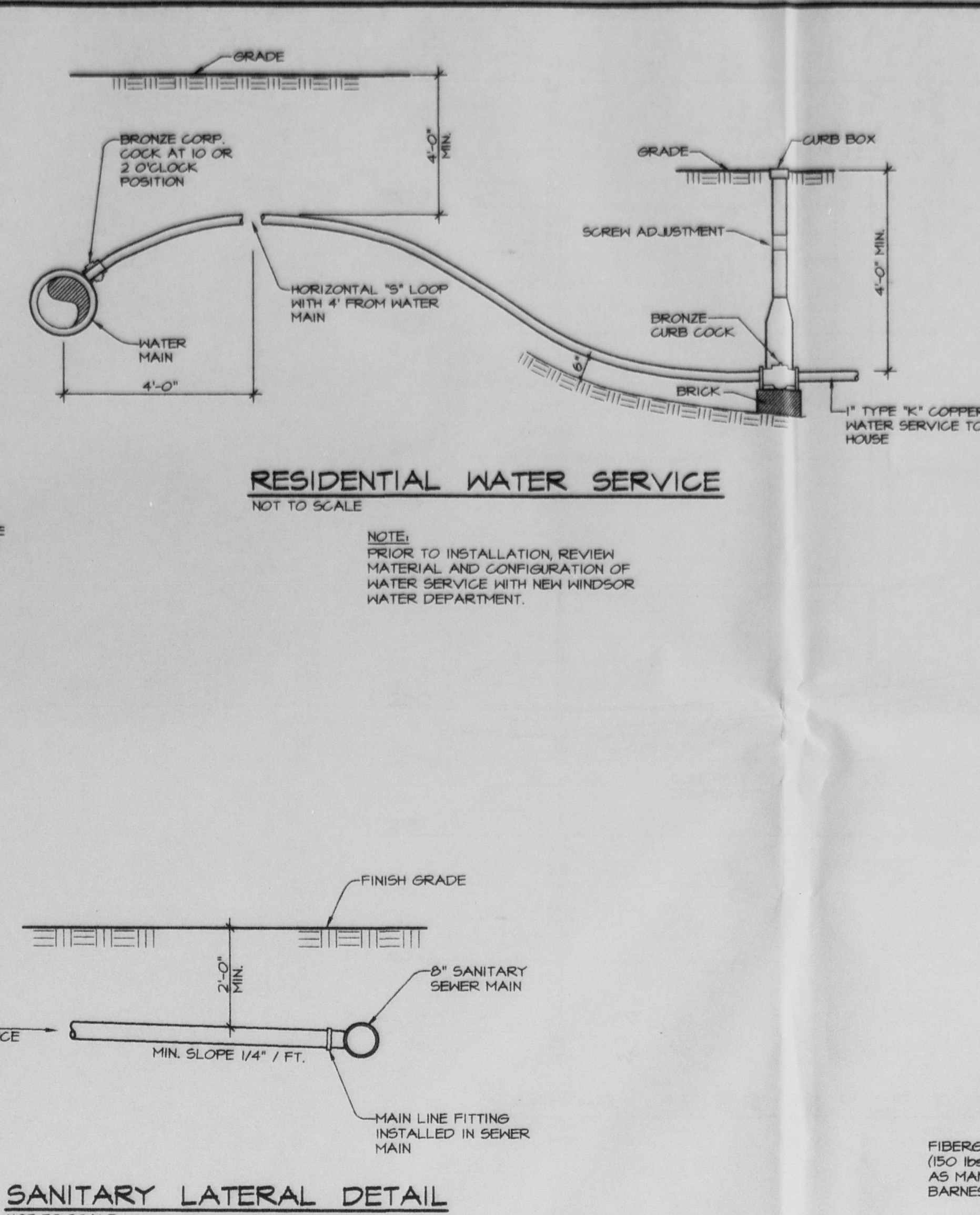
RESIDENTIAL WATER SERVICE
NOT TO SCALE

LEGEND	
EXISTING	NEW
250 2' CONTOUR	8" CV CURB VALVE
240 10' CONTOUR	12" H SAN. MANHOLE NO. 2
ADJ. PROPERTY LINE	12" W WATER MAIN
CATCH BASIN	4" S 4" SAN. SEWER LATERAL
FLUSHING BASIN	8" S 8" SAN. SEWER MAIN
SANITARY MANHOLE	2" FM 2" SAN. FORCE MAIN
HYDRANT	1" H 1" WATER SERVICE
UTILITY POLE	CO SANITARY CLEANOUT
WATER MAIN VALVE	
8" S SANITARY SEWER	
6" H WATER MAIN	
15" ST STORM SEWER	
STONEWALLS	
STOCKADE FENCE	

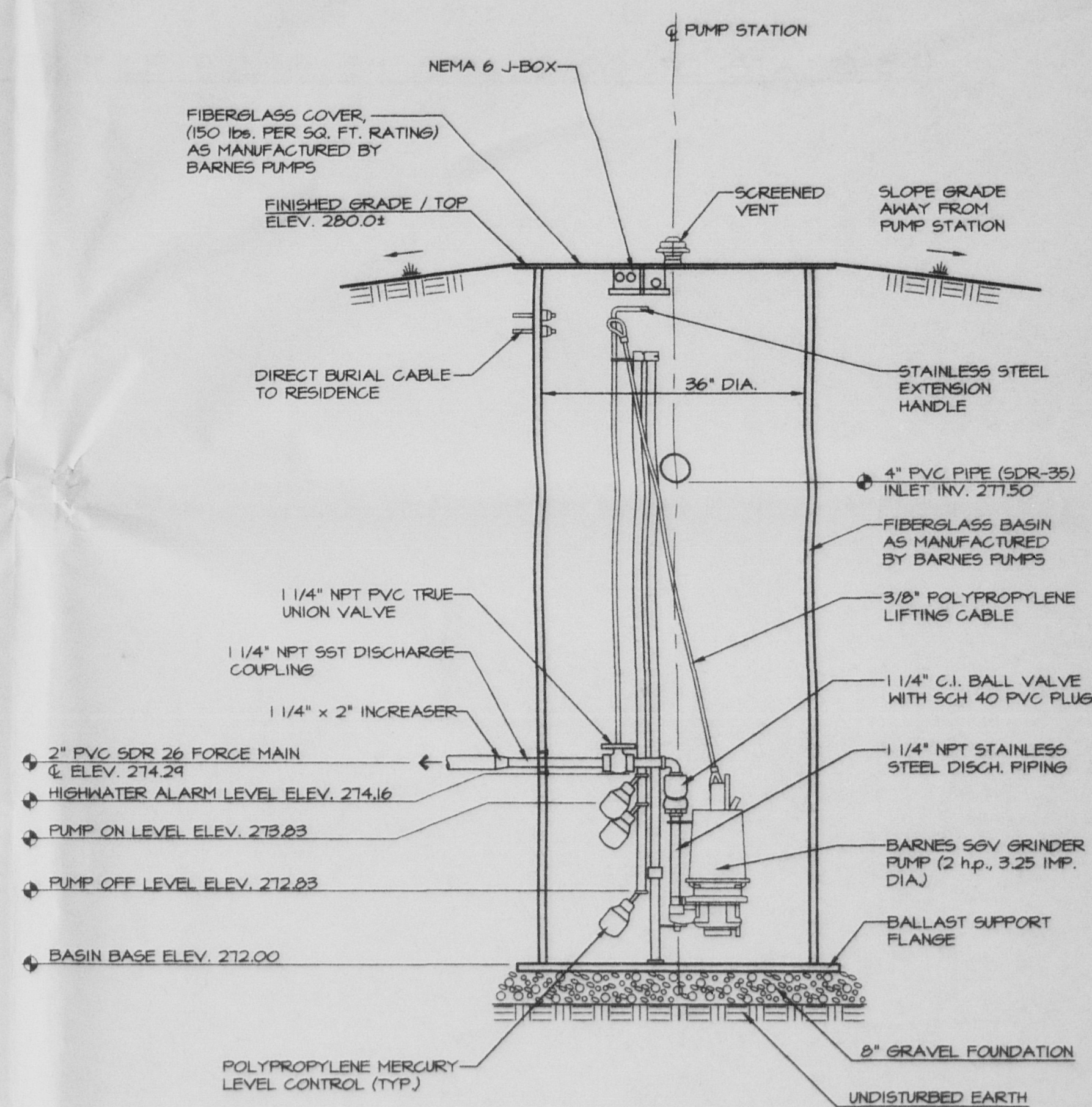
- NOTES**
- THE LOCATIONS OF EXISTING UTILITIES ARE TO BE CONSIDERED AS APPROX. PRIOR TO EXCAVATION THE CONTRACTOR SHALL VERIFY THEIR LOCATIONS.
 - UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION (U.F.P.O.) SECTION 110B OF THE PUBLIC SERVICE LAW, ARTICLE 36 OF THE GENERAL BUSINESS LAW AND INDUSTRIAL CODE RULE 53 REQUIRES (2) WORKING DAYS NOTICE BEFORE EXCAVATION, DRILLING OR BLASTING UNDERGROUND UTILITIES CALL CENTER TEL. NO. 1-800-462-1962. CONTRACTOR SHALL PROTECT AND PRESERVE UTILITY MARKINGS.



UTILITY PLAN
SCALE: 1"=40'



SANITARY LATERAL DETAIL
NOT TO SCALE



LOT No. 4
BARNES SIMPLEX PUMP STATION
NOT TO SCALE

TESTING REQUIREMENTS

- THE NEW 8" SANITARY SEWER MAIN SHALL BE AIR TESTED IN ACCORDANCE WITH ANSI/ASTM C 828-80 (LATEST EDITION), "STANDARD PRACTICE FOR LOW - PRESSURE AIR TEST OF VITRIFIED CLAY PIPE LINES".
- THE MANHOLES SHALL BE VACUUM TESTED FOR WATER TIGHTNESS IN ACCORDANCE WITH ASTM C 1244-15 (LATEST EDITION), "STANDARD TEST METHOD FOR CONCRETE SEWER MANHOLES BY NEGATIVE AIR PRESSURE (VACUUM) TEST".
- ALL TESTING SHALL BE WITNESSED BY THE TOWN OF NEW WINDSOR.

Shaw Engineering
Consulting Engineers
744 Broadway
Newburgh, N.Y. 12550

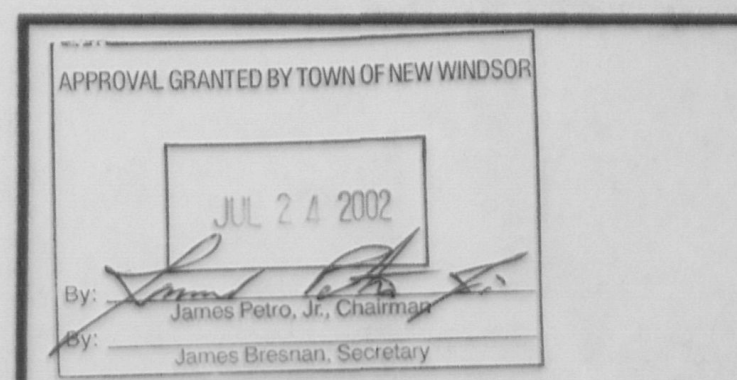
UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL OF THE STAMP OR EMBOSSED SEAL OF THE PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID TRUE COPIES.

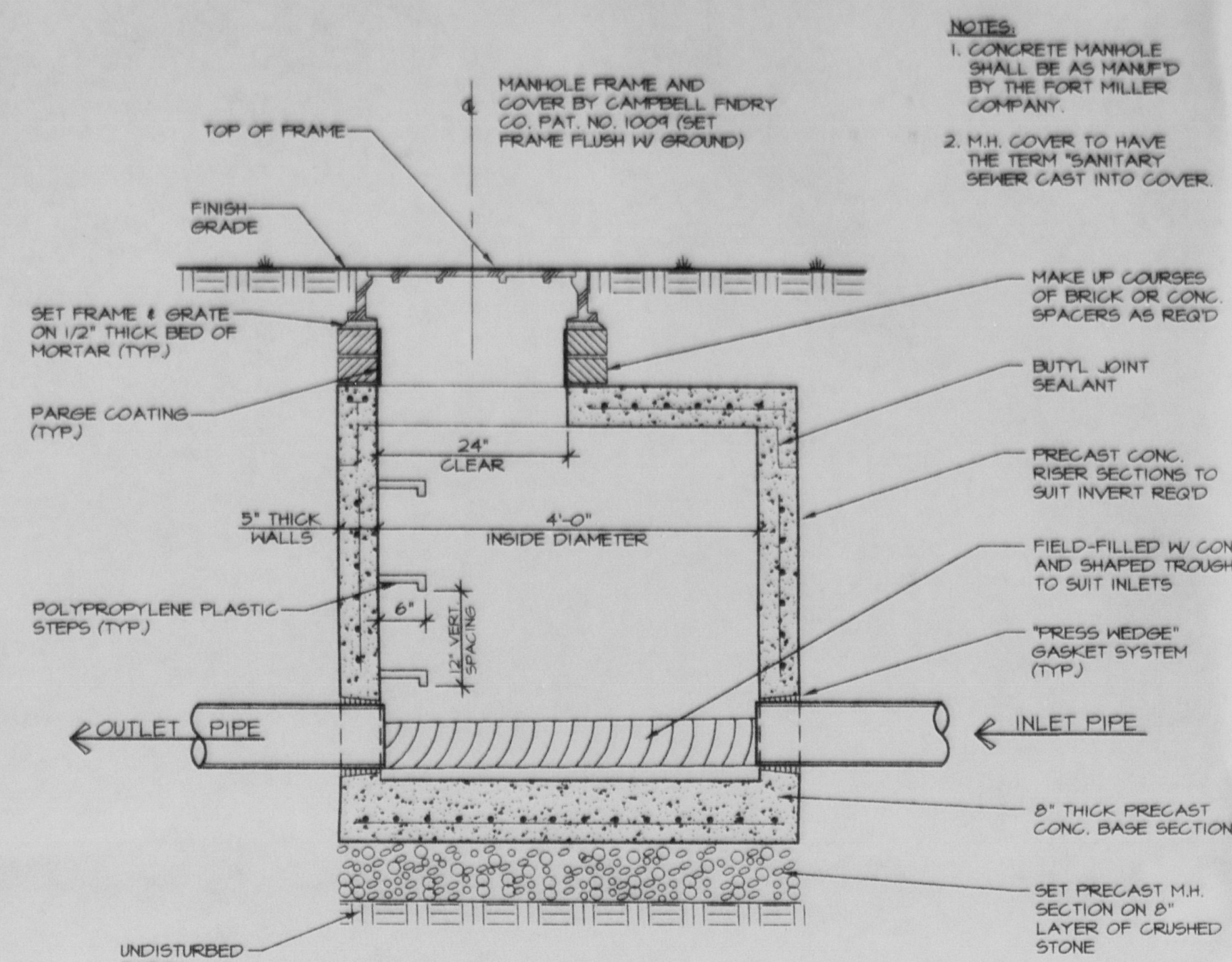
COPYRIGHT 2002 SHAW ENGINEERING

Drawn By: J.R.J.	Checked By: G.J.S.	Scale: AS SHOWN	Date: 9-19-2001
Project: MID HUDSON II HOLDING Co., INC.	Project: OLD FORGE HILL ROAD	Project: TOWN OF NEW WINDSOR, N.Y.	Project No. 0105
Issue: 1	Revision: 1	Date: 1-29-2002	Date: 9-19-2001

TOWN OF NEW WINDSOR PLANNING BOARD
STAMP OF APPROVAL

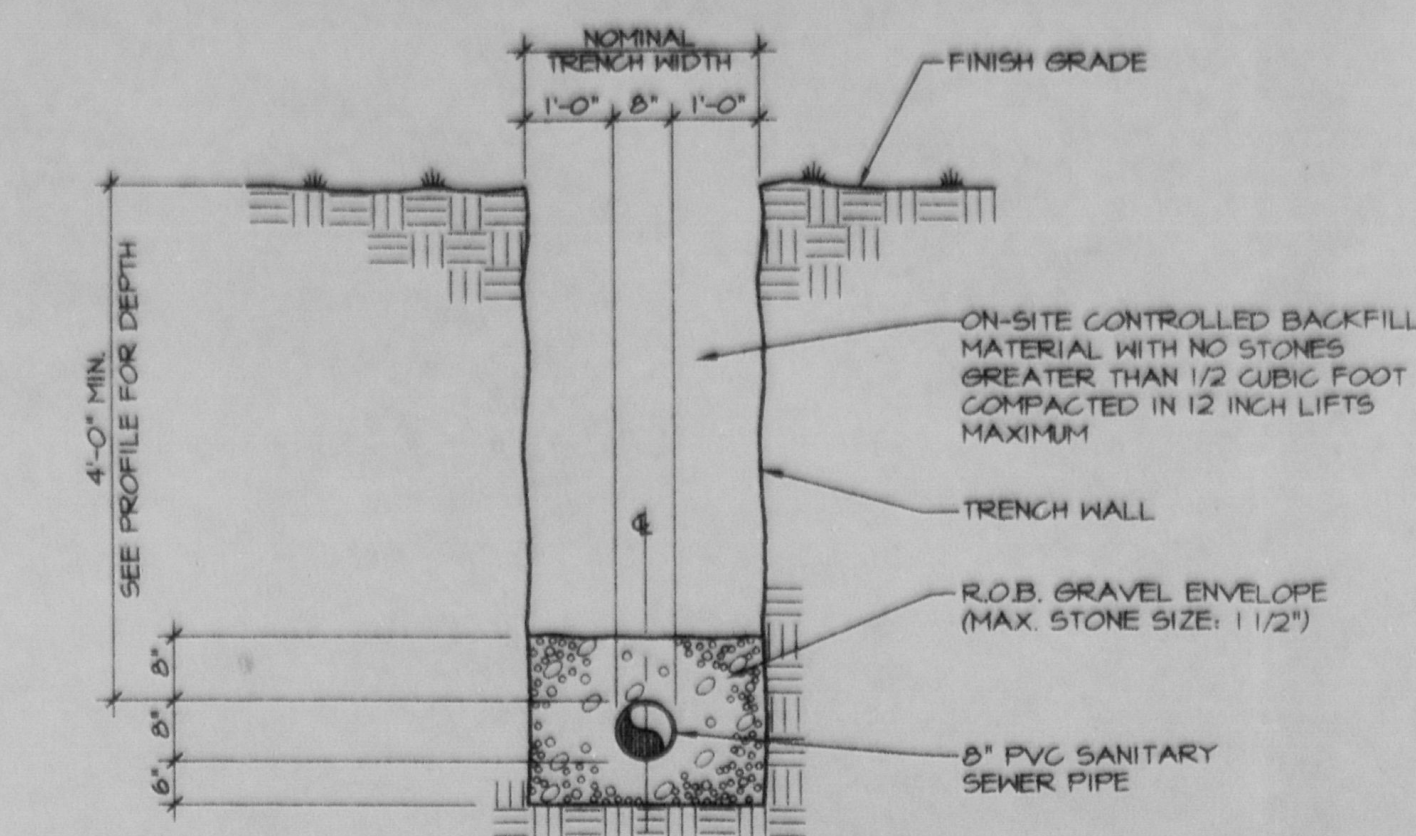


DRAWINGS ARE INVALID AND INCOMPLETE UNLESS ACCOMPANIED BY DRAWINGS 1 OF 4 THROUGH 4 OF 4.

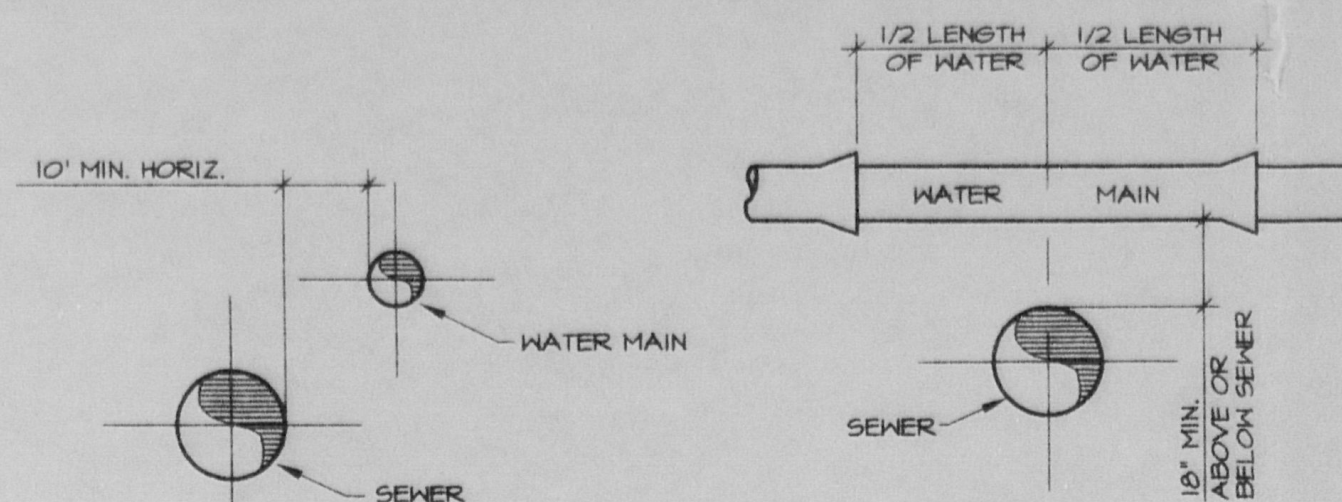


SECTION
FLAT TOP MANHOLE ASSEMBLY
NOT TO SCALE

SAN. SEWER MANHOLE SCHEDULE					
MANHOLE NO.	STATION	RIM ELEV.	INV. IN	FROM	INV. OUT
1	1+24	284.7	280.20	MH NO. 2	280.00
2	2+24	287.2	282.20	MH NO. 3	282.00
3	3+84	290.0			285.00

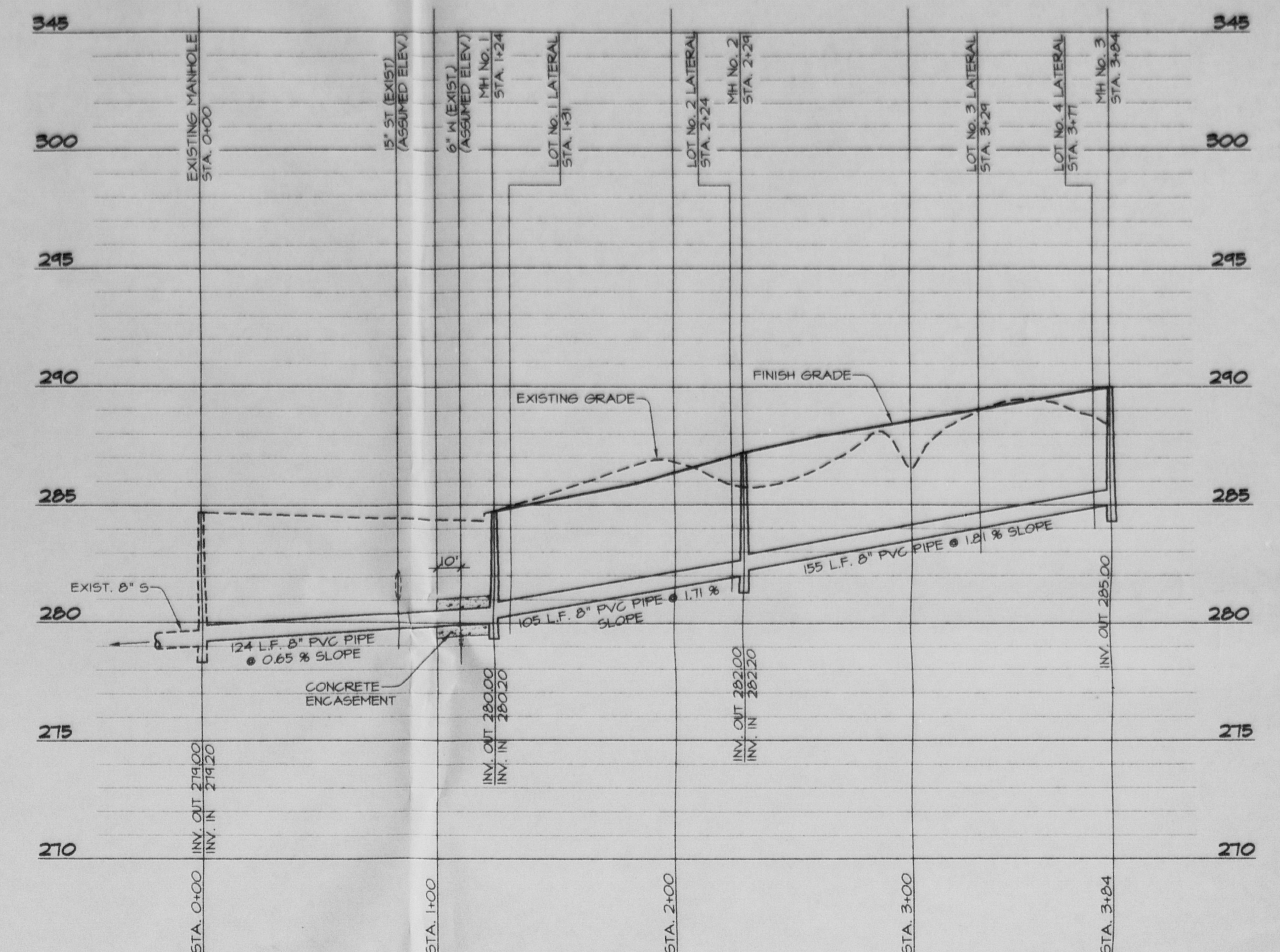


SANITARY SEWER TRENCH EXCAVATION
EASEMENT AREAS
NOT TO SCALE

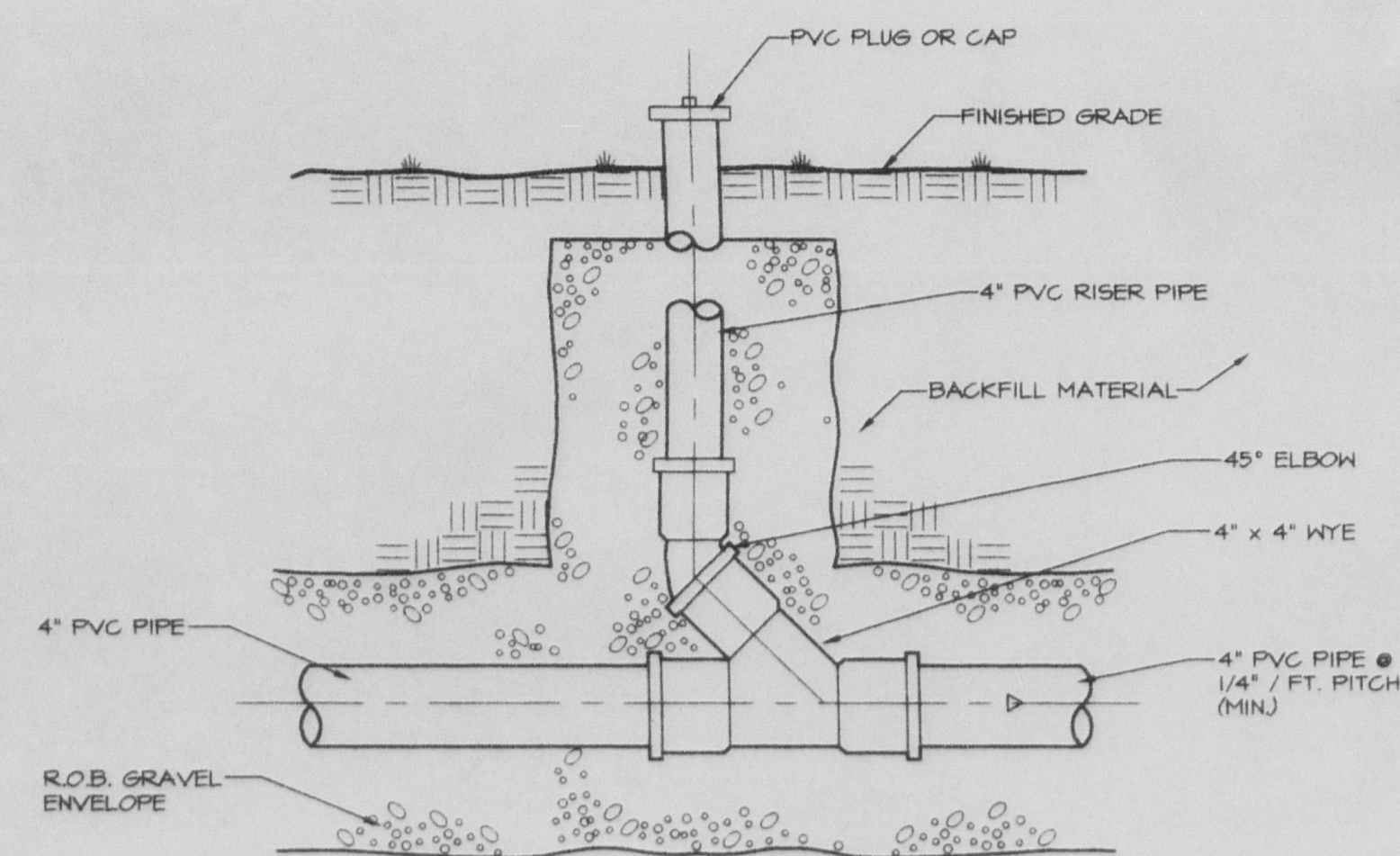


- NOTES:
1. WATER MAINS CROSSING SEWERS SHALL BE LAID TO PROVIDE A MINIMUM VERTICAL DISTANCE OF 12" BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF THE SEWER AT CROSSINGS. ONE FULL LENGTH OF WATER PIPE SHALL BE LOCATED SO THAT JOINTS WILL BE AS FAR FROM THE SEWER AS POSSIBLE.
 2. THE TERM SEWER IS DEFINED AS SANITARY, STORM OR SEWER SERVICE LATERALS.
 3. THE TERM WATER MAINS SHALL ALSO INCLUDE WATER SERVICE LINES.
 4. ANY DEVIATION FROM THE MINIMUM HORIZONTAL AND VERTICAL SEPARATION REQUIREMENTS SHALL BE SPECIFICALLY APPROVED BY THE TOWN OF NEW WINDSOR.

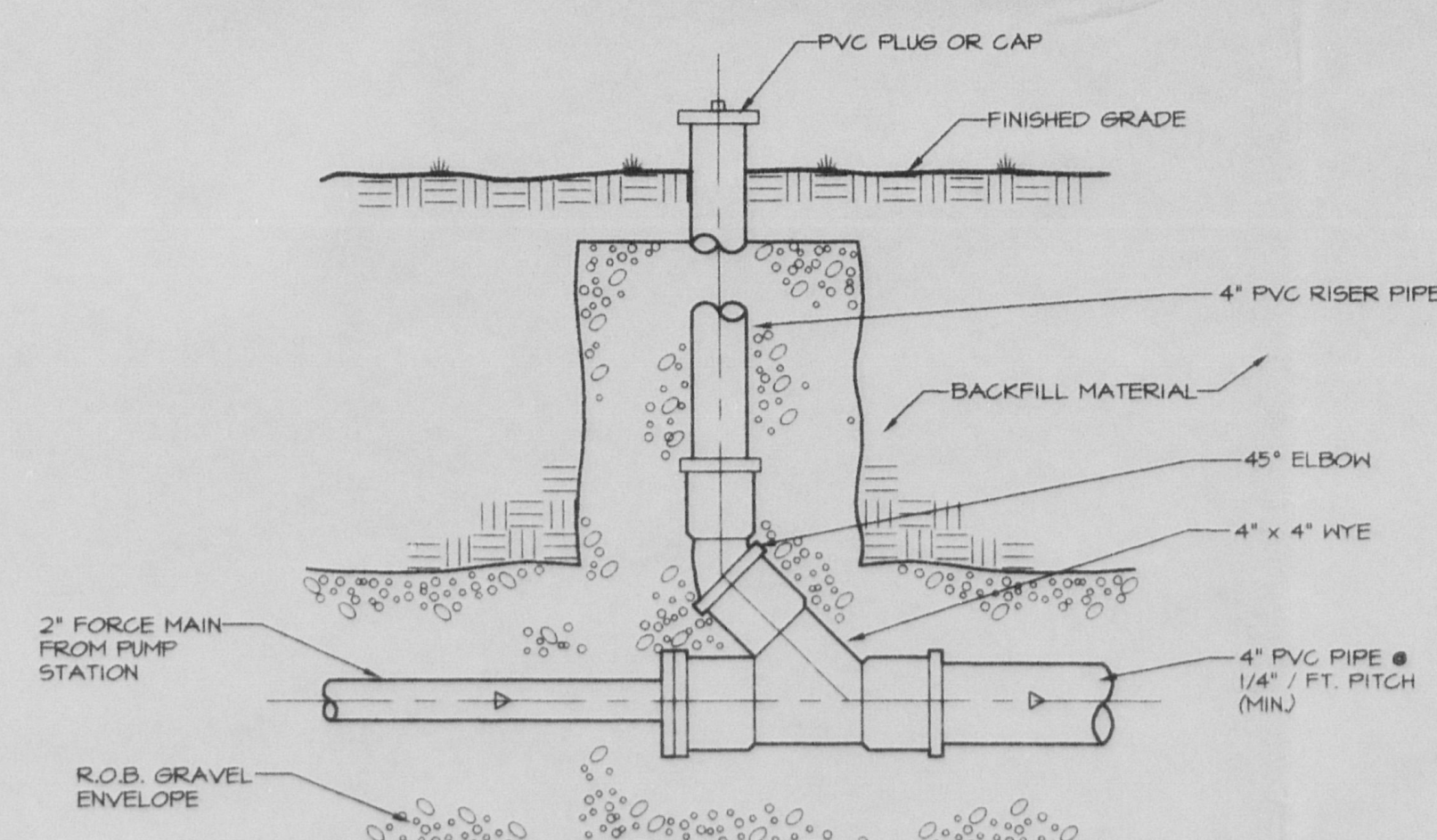
WATER / SEWER SEPARATION
NOT TO SCALE



SANITARY SEWER PROFILE - LINE S1 (STA. 0+00 TO STA. 3+84)
SCALE: VERT. 1"=4'
HORIZ. 1"=40'



SANITARY LATERAL IN - LINE CLEANOUT
- LOTS 1 THRU 3
NOT TO SCALE



SANITARY LATERAL IN - LINE CLEANOUT - LOT 4
NOT TO SCALE